

# UNIT FIVE EDUCATION ASSOCIATION – IEA/NEA CONSTITUTION *and* BYLAWS

Created and Adopted April 1980  
Revised January 1985, January 1990, May 1997, March 2006, January 2008, November 2009

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## Constitution

### Article I

#### ***Name and Affiliation***

##### **Section 1**

The name of this organization will be the Unit Five Education Association, which is chartered with the Illinois Education Association and the National Education Association.

##### **Section 2**

All members of the Association are also members of the Illinois Education Association and the National Education Association.

##### **Section 3**

This organization will comply with the Constitution and the Bylaws of the Illinois Education Association.

### Article II

#### ***Purpose***

##### **Section 1**

To advance public education and to promote the welfare of students and teachers

##### **Section 2**

To form a representative body which will function effectively with other professional educational associations (local, state, and national).

##### **Section 3**

To foster and promote good fellowship and professional ethics among its members.

##### **Section 4**

To enable members to speak with a common voice

### Article III

#### ***Membership***

##### **Section 1 – Active**

- a. Active membership shall be open to all certified professional employees under contract by Unit 5

- b. Active membership will be continuous until the member leaves the school system, resigns from the Association or fails to pay membership dues.

### **Section 2. Associate**

- a. Active members who retire from Unit Five with five consecutive years of membership immediately preceding their retirement may continue as associate members for life, paying such annual dues as the Representative Council may determine.
- b. Associate members will have all rights and privileges except the rights to vote, hold office or represent the Association.

### **Section 3 – Non-Discrimination**

There shall be no discrimination in conditions of membership based upon race, religion, nationality, age, sex, or sexual orientation.

## **Article IV**

### ***Meetings***

#### **Section 1 – Representative Council**

- a. The Representative Council will meet at the call of the President at the time and place selected. The Representative Council will meet once a month during the school term. An Agenda will be prepared and circulated to all Council members and posted in each building prior to that meeting to enable them to discuss items of business with the faculty members.
- b. Special meetings of the Representative Council may be held at the call of the President. The notice will be circulated to all council members and will state the purpose for which the meeting is called. Business transacted at a special meeting will be limited to that mentioned in the notice.

#### **Section 2 - Association Meetings**

- a. The Association will hold at least two (2) scheduled meetings per year. Such meetings will be subject to the control of the Representative Council.
- b. Special meetings of the Association may be held at the call of the President, a majority of the Representative Council or by petition of thirty (30) percent of the membership.

## **Article V**

### ***Officers***

#### **Section 1**

The Officers of the Association will consist of a President, a Vice President, a Secretary and a Treasurer.

#### **Section 2**

Any officer may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting, or may resign by written notice to the Representative Council.

## Article VI

### ***Representative Council***

#### **Section 1**

The Representative Council will consist of the Officers, the Chairpersons of all standing committees as listed in the Bylaws, one Association Representative from each attendance center in Unit District Five. Additional members from each attendance center will be eligible on the basis of one (1) representative for every twenty (20) members or major fraction thereof.

#### **Section 2**

Any member of the Association who is not a member of the Representative Council may attend its meetings and may receive permission to speak but will not have voting privileges.

#### **Section 3**

The Representative Council will be the policy-making body of the Association.

## Article VII

### ***Voting***

#### **Section 1**

Unless otherwise provided herein, the adoption of all resolutions in the Representative Council and the membership meetings will be by majority vote of those voting.

#### **Section 2**

Absentee voting by written ballot will be permitted with respect to the election (but not for run-offs) or removal of officers, the adoption and amendment of this Constitution and the Bylaws, and the dissolution of this organization, and such vote will be counted as if said voter were present at the meeting of this membership.

## Article VIII

### ***Amendment of Constitution or Dissolution of Organization***

#### **Section 1**

This Constitution may be amended or this organization dissolved by two-thirds (2/3) vote of those members voting at a general membership meeting.

#### **Section 2**

Any five (5) members may propose an amendment or dissolution by submitting it in writing to the Secretary at least thirty (30) days prior to the meeting of the membership at which said members wish the proposed to be voted upon.

#### **Section 3**

In the event of dissolution, the Representation Council will as soon as practicable, wind up the affairs of this organization and distribute all assets remaining after full payment to creditors to an organization or organizations at that time exempt from taxation under section 501( c ) of the Internal Revenue Code, as amended.

## Article IX

### ***Bylaws***

Bylaws and resolutions not inconsistent with this Constitution may be adopted by the Representative Council.

# Bylaws

## Article I

### *Duties of the Representative Council*

#### **Section 1**

The Representative Council will be responsible for the management of the Association, approve a submitted budget, approve all expenditures in excess of the approved budget, act on all committee reports and will be responsible to the general membership for all Association activity.

#### **Section 2**

The Representative Council will have the power to approve a temporary replacement for any officer who has resigned or for some reason vacated the office until a new officer can be elected as provided for in Article II of the Bylaws.

#### **Section 3**

Association Representatives will be elected by the faculty they are to represent. Members interested in being an Association Representative for their attendance center need to contact the Elections Committee. The Elections Committee will prepare the ballots for each attendance center as well as distribute the ballots and collect the ballots after the election.

Elections will be held in each attendance center in April. ARs will serve a term of two years and may be elected for two additional consecutive two-year terms. They may run for additional terms beyond the 6 years if running unopposed. When there are as many candidates as there are positions available, the candidates will be considered elected. Association Representatives shall act as liaison officers between the Representative Council and the faculty members they represent. Faculty meetings for discussion of Association business should be called by the Association Representative.

## Article II

### *Officers*

#### **Section 1 – President and Vice President**

The President of the Association will be elected to a two-year term of office. The Vice President of the Association will be elected for a two-year term of office. The vice president would be in training for, and would be encouraged to run for, the office of president. Past presidents will be available as consultants when needed but will have no official duties as executive officers. The President can run for three additional two-year terms of office. The Vice President can run for three additional two-year terms of office. If after three consecutive two-year terms as either a Vice-President or President, that individual may choose to run for an additional 2 two-year terms if there are no other nominees.

#### **Section 2 - Secretary**

The Secretary will be elected for a term of two years. The secretary will be elected in odd numbered years (2001, 2003, 2005...).

#### **Section 3 - Treasurer**

The Treasurer will be elected for a term of two years. The Treasurer will be elected in even-numbered years (2002, 2004, 2006...).

## **Section 4 - Duties of Officers**

### **a. *President***

The President will have the power and duty to perform all acts generally associated with the nature of office, which are not inconsistent with the Constitution and Bylaws. The President will be the Chief Executive Officer with the power and the duty to:

1. Enforce the observance of this Constitution and Bylaws.
2. Appoint and remove, with consent of the Representative Council, committee members and chairpersons not otherwise provided for.
3. Preside over meetings of the Representative Council and the membership.
4. Carry out Association policies in the interim between Representative Council meetings.
5. Sign contracts and agreements.
6. Represent the Association before the public either personally or through designees.
7. By virtue of the office, the President will serve as a voting member of every committee.
8. Cause a budget to be constructed and an annual audit to occur.

### **b. *Vice President***

The Vice President will perform the functions attributed to the office. The Vice President will:

1. Assume the duties of the President in the absence of the President.
2. Become the President if the Presidency becomes vacant.
3. By virtue of the office, the Vice President will serve as a voting member of every committee.
4. Serve as the Co-Chair of the Collective Bargaining Committee.
5. Have such powers and perform such duties as may be assigned by the President.

### **c. *Immediate Past-President***

The Immediate Past President will serve the Association in an advisory capacity.

### **d. *Secretary***

The Secretary will keep accurate minutes of all the meetings of the Association and Representative Council. The Secretary will assist the President with Association correspondence. All minutes must be kept in a permanent file with records of the Association.

### **e. *Treasurer***

The Treasurer will receive and be responsible for the safekeeping and accounting of the funds of the Association, keep a record of all receipts and expenditures and pay all bills. A written financial report will be given at each regular meeting of the Representative Council.

## **Article III**

### ***Membership Meetings***

#### **Section 1**

The membership will act through meetings called pursuant to Article IV of the Constitution and may exercise such powers as are not inconsistent with the Constitution and Bylaws.

#### **Section 2**

For the scheduled meetings, an agenda will be prepared and posted in each building seven (7) days prior to the date set for the meeting.

### **Section 3**

For special meetings, the Secretary will provide written notice of the meeting stating the place, date, time, and nature of the business to be considered, to each attendance center at least forty-eight (48) hours prior to the date set for the meeting.

- a.** In the event of a special meeting being called during summer break, written notice will be provided electronically to Unit 5 e-mail addresses and by website posting seven (7) days prior to the meeting. At the written request of the member, notice will be mailed to the home address or alternate e-mail address provided to the Chairperson of the Membership Committee by the member. Only in crisis situations may the President waive posting deadlines and procedures and all good faith efforts will be made to notify members.
- b.** Should a Tentative Agreement be reached during the summer months, members will have the opportunity to review the Tentative Agreement at the UniServ Office two (2) weeks prior to the ratification vote.

### **Section 4**

Upon proper motion and the approval of a majority of the members present and voting, any vote may be conducted by a secret written ballot.

### **Section 5**

Except where governed by the Constitution or Bylaws, all meeting procedures will be governed by Robert's Rules of Order, Newly Revised.

## **Article IV** ***Elections***

### **Section 1**

The Elections Committee will establish an election calendar to include national, state, and local elections, ensure nominations are open to all members, and accept nominations from members. The established calendar shall ensure that new officers be installed prior to the end of the school year and take office on the last day of the school term.

### **Section 2**

The Elections Committee will conduct all elections by secret ballot, supervise the counting of ballots, certify winners, and announce election results to the membership.

### **Section 3**

In the event that there is no candidate who has received a majority of the votes cast for a particular office, the Elections Committee shall conduct a run-off election between the two (2) candidates who had received the highest number of votes for that office.

### **Section 4**

In the event of an uncontested election for a particular office, the chairman of the Elections Committee shall declare the candidate elected.

### **Section 5**

The Elections Committee shall conduct local elections for:

- a.** President
- b.** Vice President
- c.** Secretary on odd-numbered years
- d.** Treasurer on even-numbered years
- e.** Candidates for Regional Council Representative each year to serve for a two (2) year term
- f.** Collective Bargaining Committee according to Article V, Section 2 b.
- g.** Delegates to the IEA Representative Assembly and NEA Representative Assembly.

## Article V

### ***Standing Committees***

#### **Section 1 - Budget and Finance Committee**

The duty of this committee will be to prepare and present a proposed budget to the Representative Council prior to the last council meeting of the school term. This committee will also arrange for annual audit of the financial records of the Association. This committee will consist of the President, President-elect, and Treasurer. The President will serve as the chairperson.

#### **Section 2 - Collective Bargaining Committee**

- a. It will be the duty of this committee to represent those employees of Unit Five designated in the collective bargaining agreement between Unit Five Board of Education and the Unit Five Education Association in matters of wages, hours, terms and conditions of employment and such other matters as may be of mutual concern to these employees and school board of Unit Five
- b. Members of the Collective Bargaining Committee will be determined in the year before the existing contract ends and the committee's term runs through the year after the new contract is ratified. Members will include:
  1. Two Co-chairpersons, one being the Vice-President and the other being the Chairperson of the Grievance Committee
  2. Three association members elected "at large"
  3. Appointed members of the elected Representative Council
  4. The President of the Association
- c. Efforts will be made to ensure that the Collective Bargaining Committee is representative of the entire Association. Additional members of the Association may be asked to provide supplementary support for the Collective Bargaining Committee.
- d. Should the need for impact bargaining occur and the spokesperson of the committee that negotiated the language contract is not a member of the committee, this person may become an active member of the committee for the duration of the impact bargaining.

#### **Section 3 - Elections Committee**

The Elections Committee will fulfill the duties described in Article IV of the Bylaws (Elections). The committee will consist of the Vice President who will serve as chairperson, and three (3) appointed members of the Representative Council.

#### **Section 4 - Hospitality Committee**

It will be the duty of this committee to promote fellowship and organize social functions and activities and perform such other duties as the President or Representative Council may assign. This committee will consist of the appointed chairperson and the chairperson will determine the size of the committee.

#### **Section 5 - Legislative Committee**

The duties of the legislative committee will be to receive and interpret for presentation to the Representative Council and members of the Association, legislative policies and action as reported by the Illinois Education Association, the National Education Association, newspapers and other media of information and assume responsibility of correspondence pertaining to same. This committee will consist of the appointed chairperson and the chairperson will determine the size of the committee.

#### **Section 6 - Membership Committee**

The duties of this committee will be to maintain the membership records of the Association and to plan, prepare, and coordinate membership campaigns.

### **Section 7 - Program Committee**

The Program Committee will promote the purposes of the Association, arrange a calendar of events of such a nature as will create and maintain an active interest of the membership. The chairperson of this committee will be the President and or Vice President and three members of the Representative Council. The Program Committee will work with the UniServ Director to plan the program for each Representative Council meeting.

### **Section 8 - Public Relations Committee**

The duties of this committee will be to:

- a. Keep all members of the Unit Five Education Association informed of the policies, programs, accomplishments, and activities of the Association.
- b. Establish contact with news media and keep them informed of the accomplishments and activities of the Association.
- c. Edit a news brief or local newsletter of Association activities to the membership.
- d. Encourage all committee chairpersons to communicate their activities to the membership through the newsletter.
- e. The Vice President will chair this committee and shall determine the size of the committee.

### **Section 9 - Grievance Committee**

The committee will consist of five members representing the following levels: Senior High, Junior High, Elementary, and Special Education personnel.

The President will appoint members to a one year term on the Grievance Committee with the approval of the Representative Council. Members of the Grievance Committee shall select a chairperson. At least one member of the immediate past collective bargaining committee will be an ex-officio member.

The chairperson or designated member of the committee will:

- a. Serve as the spokesperson for the committee.
- b. Call meetings of the committee as needed.
- c. Make regular reports to the Representative Council.
- d. Maintain records of grievances and their disposition.
- e. Make grievance forms available to Association Representatives for the member's use.

All grievances must be routed through the Grievance Committee. Committee proceedings require a quorum (3) for business to be conducted. The Representative Council will have input before any grievance is filed for Level III-arbitration.

### **Section 10 - Political Action Committee**

The Political Action Committee will consist of an appointed chairperson and the chairperson will appoint members as needed. The committee will work on school board elections, referenda, and serve as crisis team when necessary.

### **Section 11 - History Committee**

The History Committee will consist of a confirmed chairperson and members, as needed, to maintain records to document the history of the organization and its activities. The committee will provide research information from the history files when requested and offer historical data for organizational development, promotion, and membership activities.

### **Section 12 - Community Service Committee**

The Community Service Committee will plan and coordinate programs that contribute to the well-being of the community.

### **Section 13 - New Teacher Committee**

The New Teacher Committee plans activities to welcome and orient new teachers to the Unit 5 Education Association.

### **Section 14 - Executive Committee**

This committee shall consist of the president, vice president, secretary, treasurer, and chairpersons of all standing committees. It will, therefore, be an elected body that can act on the behalf of the Representative Council when the Representative Council is not in session. The President will empower this committee to help in the decision-making process for the Association while retaining the authority to make the decisions.

### **Section 15 - Removal from Office**

Committee Chairs of standing committees and elected members of the Collective Bargaining Committee may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting, or may resign by written notice to the Representative Council.

## **Article VI**

### ***Special Committees***

The President may appoint special committees as needed. Such committees will discharge the duties for which appointed.

## **Article VII**

### ***Dues & Schedule B Release***

#### **Section 1 – Dues**

The annual dues of the Association will be established by majority vote of the Representative Council. The dues will be sufficient to cover all Association expenses as shown in the budget. Annual dues will be payable on or before October 31 each year, unless the member has chosen to use payroll deduction for the payment of dues.

#### **Section 2 - Schedule B Release**

A president who is released from teaching duties should be available to membership and administration to properly serve UFEA membership. To that end, A UFEA President who is released from teaching duties as part of the negotiated agreement with the district will be released of Schedule B activities that require a regular obligation, either with students or in a particular building, that are in conflict with the duties of President.

## **Article VIII**

### ***Authority***

Robert's Rules of Order, Newly Revised will govern the conduct of all meetings of the Association.

## **Article IX**

### ***Amendments***

#### **Section 1**

Bylaws may be amended by a two-thirds (2/3) majority of the Representative Council present at a scheduled meeting (quorum required).

#### **Section 2**

Proposed amendments must be published to the members at least ten (10) school days in advance of a vote.