

CONSTITUTION OF THE DAYTON EDUCATION ASSOCIATION

ARTICLE I – NAME

Section A: The name of this association shall be Dayton Education Association

Section B: The Dayton Education Association, henceforth referred as the Association, shall maintain affiliation with the Ohio Education Association, National Education Association, and the Western Ohio Education Association.

ARTICLE II – PURPOSE

Section A: The purpose of the Association shall:

1. To encourage professionalism; advocate the rights of members; and demonstrate a positive commitment to the enhancement of “Public Education.”
2. To adopt and to promote the Code of Ethics of the Education Profession.
3. To enable members to speak with a common voice on matters pertaining to the education profession and to represent their individual and common interests before the Board of Education and/or other legal authorities and to encourage active participation of professional staff members in the solution of school problems.
4. To unify and to strengthen the education profession and to secure and maintain the Master Contract.
5. To establish and maintain helpful, friendly relationships within the membership and school community.
6. Help set and promote the educational objectives of the local school system and of the state and of the nation.

Article III – MEMBERSHIP

- Section A:** All certificated/licensed personal employed by the Dayton Public Schools Board of Education except those classified by administration shall be eligible for active membership.
- Section B:** Active members shall be members of the Dayton Education Association, the Western Ohio Education Association, The Ohio Education Association, and the National Education Association.
- Section C:** All members shall abide by the Code of Ethics of The Education Profession.
- Section D:** All certified/licensed members shall have the right to vote, hold office, attend all Building Association Representative meetings, attend or be a delegate to all district, state and national representative assemblies, and receive all member benefits provided by membership.
- Section E:** According to procedures adopted by the Representative Assembly, the Representative Assembly may suspend from membership or expel any member who shall have violated the Code of ethics of the Education Profession. In such cases a member shall have the right of appeal, including a hearing before the Executive Board. The Representative Assembly may reinstate a member who has previously been suspended or expelled from the Association only upon an application approved by a two thirds (2/3) vote of the Representative Assembly by secret ballot.

ARTICLE IV – OFFICERS

- Section A:** Officers of the Association shall be a President, Vice-President, Secretary, and Treasurer.
1. All officers shall be members in good standing of the Dayton Education Association, and shall be elected by the general membership.
- Section B:** All officers shall hold office for two (2) year terms beginning July 1st. They may serve an unlimited number of terms.
- Section C:** Whenever the office of President becomes vacant due to death, incapacity, termination, resignation, retirement or recall, the Vice President shall automatically assume the presidency for the remaining part of the term.
1. A vacancy in the office of Vice President, Secretary or Treasurer shall be filled by appointment of the President with the approval of two thirds of a quorum of the Executive Board in a secret ballot.

ARTICLE V—STAFF

Section A: The Labor Relations Consultant: The Labor Relations Consultant shall comply with the OEA UniServ Delivery Plan, and shall serve as an advisor and a consultant to the President, the Executive Board, the Representative Assembly, and the membership.

ARTICLE VI -- EXECUTIVE BOARD

Section A: The Executive Board shall be composed of the elected officers and committee chairpersons of the Association, the immediate past president, the Association Area Representatives. The term of the immediate past president shall be for two years.

Section B: The DEA representative to the OEA Board of Directors and the DEA representative to the WOEI Board of Directors shall serve as ex-officio members of the Executive Board. Appointed Chairpersons shall also serve as ex-officio members of the Executive Board.

Section C: The Executive Board shall be the executive authority of the Association.

Section D: The Executive Board shall:

1. Act as advisors to the officers, assign duties, be responsible for all committees of the Association, and have such policy-making authority as provided in the Constitution and Bylaws.
2. Act as the authoritative voice of the Association on positions affecting the Association during the interim period between regular meetings.
3. Prepare recommendations for the consideration and action of the Association.
4. Carry out policies established at general membership meetings.
5. Report its transactions and those of the general membership to all members.
6. Direct an independent audit of the Association's financial records at regular intervals not to exceed two years.
7. Ensure the Association acts on an annual financial report presented by the Association Treasurer.

- Section E:** It is the policy of this Association, and it shall take all legally permissible steps to achieve governance and delegate representation of ethnic minority at least proportionate to the ethnic minority membership in the Association.
- Section F:** An elected vacancy on the Executive Board due to death, incapacity, termination, resignation, retirement or recall, shall be filled by appointment of the President with the approval of two thirds (2/3) of a quorum of the Executive Board in a secret ballot.
- Section G:** No business or financial transaction involving a member of the Executive Board or agent of the Association, or their spouse, children, or parents, or otherwise as described in this Section, shall conflict with the fiduciary responsibility of such person to the Association. Such relationships with the members of the Executive Board include relationships with any person that would reasonably be expected to affect the person's judgment with respect to the transaction or conduct in question in a manner adverse to the Association.

ARTICLE VII -- REPRESENTATIVE ASSEMBLY

- Section A:** The Building Association Representative Assembly shall be composed of the Executive Board and the elected representatives from each school.
- Section B:** The Building Association Representative Assembly shall be the supreme governing body of the Dayton Education Association and shall perform such functions as stipulated in the Bylaws.
- Section C:** Any member of the Association who is not a delegate to the Building Association Representative Assembly may attend its meetings. They shall sit in the section reserved for non-delegates.
- Section D:** The Building Association Representative Assembly may determine its rules of procedure. In the absence of special rules, it shall be guided by Robert's Rules of Order, Revised.
- Section E:** There shall be one Building Association Representative elected for a term of one year in each building or unit of representation for every twenty-four members or fraction thereof.
- Section F:** It is the policy of this Association, and it shall take all legally permissible steps to achieve governance and delegate representation of ethnic minority at least proportionate to the ethnic minority membership in the Association.

ARTICLE VIII – AMENDMENTS

- Section A:** Amendments to this Constitution shall be proposed in writing to the Building Association Representative Assembly by the Executive Board, or by a Constitution/Bylaws Committee, or by an initiative petition signed by ten percent (10 percent) of the members of the Dayton Education Association and verified by the Treasurer.
- Section B:** The Building Association Representative Assembly may adopt amendments to this Constitution by a two thirds (2/3) majority of that body. Amendments shall have been introduced at the regular meeting of the Representative Assembly preceding that at which the vote will be taken and copies of the proposed amendments shall have been distributed to members for discussion.

ARTICLE IX: ELECTIONS

- Section A:** Executive Board Elected Positions: The Election Committee will announce who has submitted a letter of intent for each office and conduct elections in accordance with the OEA elections manual and to resolve all challenges to an election. Candidates for office may also be nominated from the floor. Nominees must be present at the time of nomination. Nominations will be closed after nominations from the floor are closed.
- Section B:** NEA and OEA/WOEA Elections: The Elections Committee will announce who has submitted a letter of intent and conduct elections in accordance with the OEA elections manual and to resolve all challenges to an election. No nominations from the floor or write-in votes will be accepted.
- Section C:** Elections of officers and Executive Board members shall be conducted by secret ballot in each building during one school day designated by the Elections Committee.
- Section D:** The Elections Committee shall report the results of the election to the total membership within two school days following the elections.
- Section E:** All ballots (marked, unmarked, and voided) and all other records pertaining to the election of officers of this Association, WOEA, OEA and NEA delegates and alternates shall be preserved for one year from the date the election was held; and such ballots and other records shall be made available to OEA officers upon request for inspection and examination.
- Section F:** Non-members of the Association, including fee payers, shall not have the right to vote, hold office, or otherwise have privilege of Association membership.

Section G: No Nominee for office shall serve concurrently on the Elections Committee. The president shall appoint a replacement if the chair/or committee member is running for office.

ARTICLE X -- IMPEACHMENT OF EXECUTIVE BOARD

Section A: Officers and committee chairpersons of the Association may be impeached for violation of the code of Ethics of the Education Profession or for misfeasance, malfeasance, and nonfeasance in office.

Section B: Impeachment proceedings against an officer may be initiated by written petition submitted to the Executive Board by at least twenty-five (25) percent of the members.

Section C: If, after a due-process hearing, a two-thirds (2/3) vote of the Executive Board sustains the charge, the Executive Board member's position shall be vacant

Section D: The Executive Board member may appeal the decision to a special meeting of the general membership.

ARTICLE XI --COMMITTEES

Section A: The Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.

Section B: Ad hoc (temporary) committees may be formed as necessary to achieve the Association program.

Section C: All committees shall be approved by executive board. If Committee Chairs are members of the Executive Board, they must be elected to have voting rights unless the By-Laws say ex-officio.

ARTICLE XII – DUES

Section A: The local association shall have dues structure adequate to fund an active program.