

**PERRY
EDUCATION
ASSOCIATION

CONSTITUTION
AND
BY-LAWS**

PERRY TOWNSHIP SCHOOLS
INDIANAPOLIS, INDIANA
(MARCH 9, 2016)

CONSTITUTION OF
PERRY EDUCATION ASSOCIATION
(MARCH 9, 2016)

ARTICLE I
NAME

The name of our professional organization shall be Perry Education Association and shall be referred to in the Constitution and By-Laws as the Association.

ARTICLE II
PURPOSES

The purposes of the Association are:

- Section 1. to promote within the teaching group the highest type of professional practices, to encourage active member participation in the solution of all school matters, and to urge all members to further develop respect for professional morality,
- Section 2. to cooperate with community projects that will result in the **mutual understanding** and contributions on the part of both educational employees and the community for the benefit of all children in Perry Township Schools,
- Section 3. to **represent active members** by securing and maintaining terms and conditions of employment which will improve the professional growth, morale, and security of educational employees in Perry Township Schools,
- Section 4. to encourage educational employees to exercise their rights and privileges, and to willingly work for or accept positions of leadership in active affairs,
- Section 5. to work for the welfare of school children, the advancement of public education, and the improvement of educational opportunities for all, and
- Section 6. to hold assets and incur liabilities necessary for the attainment of Association purposes.

ARTICLE III
MEMBERSHIP

Section 1. ACTIVE MEMBERS. Any person who has valid certification/training, who is employed by Perry Township Schools and who is not a member of Perry Township Schools School Board negotiating team may become an active member of this Association upon payment of the current annual dues of the Perry Education Association (PEA), Indiana State Teachers Association (ISTA), and the National Education Association (NEA).

Section 2. RESERVE ACTIVE MEMBERS. Any person who has valid certification/training and is on a limited leave of absence from Perry Township Schools is eligible for reserve active membership. In addition, any person whose position in Perry Township Schools was eliminated due to a reduction in force is eligible for reserve active membership status for a period of two years.

Section 3. RIGHTS OF MEMBERSHIP. All active members of the Association shall have the right to full voting privileges and to hold elected offices and/or appointed offices or positions of the Association.

Section 4. OBLIGATION OF MEMBERSHIP. All members of the Association shall agree to abide by the provision of the Code of Ethics of the National Education Association and shall support the stated purposes and objectives of the Association.

Section 5. CONTINUATION OF MEMBERSHIP. Active membership shall be continuous until the member leaves the school corporation or resigns from the Association by submitting said resignation in writing both to the President and to the PEA Membership Chairperson. Said resignation must be submitted by **NO LATER than July 1.**

Subject to the applicable provisions of the law, any teacher who is a member of the Association and who is teaching under a valid Regular Teacher's Contract may sign and deliver to the PEA President, or his/her designee, a form acceptable to the School Board and to the Association authorizing deductions of membership dues in the Association. Such authorization shall continue in effect each year unless revoked in writing to the Association President by **NO LATER than July 1.**

Pursuant to such authorization, the School Board shall deduct dues in as equal installments as practical, but not before the second pay in October, beginning within twenty-one days after receipt of the authorization and concluding with the last scheduled check in the current teaching contract. For those teachers on continuing membership, **the current year deductions shall begin with the second pay in October.**

A teacher may withdraw from payroll deduction at any time during the school year; however, that does not eliminate the teacher's financial obligation to the Association.

Section 6. MEMBERSHIP YEAR. The membership year shall be September 1 to August 31.

ARTICLE IV
DUTIES AND TERMS OF OFFICERS

- Section 1. The officers of the Association shall be a President, First Vice-President, Second Vice-President, Secretary, and Treasurer, all of whom shall be members in good standing.
- Section 2. The President shall: (a) preside at all meetings of the Association, Association Representative Council, and Executive Board, (b) be responsible for approving all expenditures, (c) appoint all committees not otherwise provided for through confirmation of the Executive Board, (d) be an ex-officio member of all committees, (e) represent the Association before the public, either personally or by designee, and (f) work directly with the Discussion, Negotiations, Legislative and Political Action, and Professional Advancement Committees.
- Section 3. The First Vice-President shall: (a) assist the President, (b) coordinate the efforts of the Association Representatives, (c) work directly with the Membership Chairperson during the membership drive, and (d) shall assume the duties of the President in the absence of the President or in the event a vacancy occurs in that office.
- Section 4. The Second Vice-President shall: (a) assist the President, (b) conduct and report the correspondence of the Association, (c) notify the members of the Executive Board and the Association Representative Council of the time and place of their respective meetings, (d) notify all members of the general meetings, and (e) work directly with the Public Relations, Elections, and Social Committees.
- Section 5. The Secretary shall: (a) keep a record of all general meetings of the Association, the Association Representative Council, and the Executive Board, and (b) take attendance at the Association Representative Council meetings.
- Section 6. The Treasurer shall: (a) receive, be responsible for the safekeeping of, and be held accountable for, all funds of the Association, (b) deposit all funds in a bank in the name of the Association, (c) forward the state and national portions of membership dues to ISTA and dispense all other funds as directed by the Association Representative Council, (d) execute by October 1 an acceptable surety bond to the paid for by the Association, (e) maintain an accurate list of membership provided by the Membership Chairperson, (f) chair the Budget Committee, and (g) submit the Treasurer's records for audit by October 1 of each year.
- Section 7. The term of each office shall be for two years.
- Section 8. The officers' terms shall begin on the date of the May general meeting of the Association and terminate on May general meeting date of the Association at the end of the two-year term. In case a vacancy occurs, it shall be filled by appointment of the Association Representative Council, except for the office of President which shall be assumed by the First Vice-President. If the First Vice-President is unable to accept the Presidency, the office shall be assumed by the Second Vice-President.
- Section 9. The offices shall be elected by the eligible membership by open nominations and secret ballot with provision made for write-in candidates.

ARTICLE V
EXECUTIVE BOARD

- Section 1. The Executive Board shall consist of the President, First Vice-President, Second Vice-President, Secretary, and Treasurer, and the chairpersons of the standing committees. The immediate past President may serve on the Executive Board in an advisory capacity.
- Section 2. The Executive Board shall be the executive authority of the Association and shall carry out the policies established by the Association Representative Council.
- Section 3. The Executive Board shall meet monthly, at the call of the President, or at the request of three members of the Executive Board.
- Section 4. The Executive Board shall tentatively approve a budget for the fiscal year and submit it in April to the Association Representative Council.
- Section 5. The Executive Board shall have the Treasurer's books audited at the close of each fiscal year and at other times as deemed necessary.

ARTICLE VI
ASSOCIATION REPRESENTATIVES

- Section 1. (An) Association member(s) **in good standing** shall be elected in a secret ballot election with open nominations arranged by the current Association Representative(s), to represent the members in that building or unit. An Association Representative shall be elected for each 15 Association members or major fraction thereof. There may be at least one representative from each building or unit where there are Association members. Each representative shall appoint an alternate.
- Section 2. Association Representatives shall serve as members of the Association Representative Council. Association Representatives, or their alternates, shall attend the regular and called meetings of the Association Representative Council. **After three unreported absences, the President may send a letter requesting the reasons for the absences and also inform the Association Representative that the seat may be declared vacant.**
- Section 3. Association Representatives shall be elected every two years by May 1. They shall assume office at the close of the school year in which they are elected and shall serve a term of two years. Any building or unit which has more than one representative shall elect its representatives on a rotating basis. Vacancies in Association Representative positions shall be filled with an election conducted by the building or unit membership.
- Section 4. The Association Representative shall provide two-way communication between the building or unit and the Association Representative Council.
- Section 5. The Association Representative shall assist the Membership Chairperson and the Membership Committee in enrolling new members.

ARTICLE VII
ASSOCIATION REPRESENTATIVE COUNCIL

- Section 1. The Association Representative Council shall consist of the Association's elected officers, elected Association Representatives, chairpersons of all standing committees, and the Association's District Council delegates. The immediate past President may be a member of the Association Representative Council in an advisory capacity.
- Section 2. The Association Representative Council shall conduct the affairs of the Association between meetings of the general membership.
- Section 3. The Association Representative Council shall have the power to fill any officer vacancies. The person so selected shall serve only until an election can be held to complete the unexpired term.
- Section 4. The Association Representative Council may, by a two-thirds majority, recommend the removal from office any officer who has been grossly negligent of the duties of the office or any officer who is incapacitated.
- Section 5. The Association Representative Council shall tentatively approve the budget as submitted by the Executive Board in April and shall release it to the Association for consideration at least two weeks prior to the final vote at its May meeting.
- Section 6. The Association Representative Council shall act on reports of committees, approve resolutions and other policy statements, and do all other functions necessary to carry out the purposes for which the Association is organized except as otherwise stated in the Constitution and By-Laws. At any time a matter may be referred to the membership for its consideration and final authority vote.
- Section 7. The Association Representative Council shall meet monthly when school is in session, except in May when a general meeting will be held. The Association Representative Council may meet in other special meetings as called by the President or by a majority of the members of the Association Representative Council.
- Section 8. Any Association member who is not a member of the Association Representative Council may attend its meetings and may receive permission to speak, but may not vote.

ARTICLE VIII
DUE PROCESS

The Association believes that any member who may be subject to censure, suspension, or expulsion shall be guaranteed due process with the right to appeal. Such procedures shall be adopted by the Association Representative Council. Such decision may be appealed to the Judicial Review Board of ISTA.

ARTICLE IX
AFFILIATION

The Association shall affiliate with the Indiana State Teachers Association (ISTA) and the National Education Association (NEA) and adhere to the standards required for such affiliation. Affiliation and/or dissolution with any professional organization deemed appropriate shall only be adopted with the combined approval of the Association Representative Council and the active membership.

ARTICLE X
EXEMPTION FROM LIABILITY

The members and officers of the Association shall be exempt from any and all debts and liabilities of any kind and character, now or hereinafter incurred, created, or established by or against the Association.

ARTICLE XI
DISSOLUTION

In the event of dissolution of the Association, any assets remaining after payment of all debts of the Association shall be transferred by the Association either to another association approved by the Internal Revenue Service as a not-for-profit association, or to a school, association, or corporation that is a not-for-profit organization under Internal Revenue Code Sec. 501(c)3, 501(c)5, or 501(c)6.

ARTICLE XII
AMENDMENTS

The Association Representative Council may adopt amendments to this Constitution by two-thirds majority vote of those voting at any regular meeting provided that amendments have been introduced at the preceding regular meeting of the Association Representative Council and that copies of proposed amendments have been immediately posted and/or distributed to the members of the Association for their discussion.

BY-LAWS OF
PERRY EDUCATION ASSOCIATION
(ADOPTED JUNE 1, 2016)

ARTICLE I
RULES OF ORDER

Robert's Rules of Order, Newly Revised shall be the authority on all questions of procedure not specifically stated in the Constitution and By-Laws. The President may appoint a parliamentarian to confer with on matters of procedure when necessary.

ARTICLE II
ELECTIONS

Section 1. All voting members of the governing bodies shall be elected by the eligible membership by open nominations and a secret ballot with provisions for write-in candidates.

Section 2. Provisions shall be made for run-off elections if necessary.

Section 3. Vacancies shall be filled according to Article IV, Section 8, Article VI, Section 3, and Article VII, Section 3, of the Constitution.

Section 4. Representation shall be provided for each type of membership as outlined in Article III of the Constitution in all elections.

ARTICLE III
STANDING COMMITTEES

Section 1. There may be the following standing committees: Membership, Professional Rights and Responsibilities, Instructional and Professional Development, Professional Advancement, Public Relations, Legislative and Political Action, Minority Affairs, Discussion, Professional Negotiations, Sick Bank, Elections, Deferred Compensation, and Social. The chairperson of each committee shall be appointed by the President.

Each standing committee shall meet as needed at the call of the chairperson or at the request of a majority of the committee members and shall report to the Executive Board.

Each committee shall keep a continuing record of activities. The chairperson shall prepare an annual written report summarizing objectives, action programs, gains, and unreachd goals. Said reports shall become a part of the continuing committee record in the Association files.

Section 2. The Membership Committee shall conduct membership enrollment among eligible non-members and shall keep an updated list of continuing members.

- Section 3. The Professional Rights and Responsibilities Committee shall attempt to strengthen the processes involved in obtaining and maintaining professional standards by interpreting and implementing the Code of Ethics. It is the responsibility of this committee to conduct a continuing study concerning both the rights and responsibilities of the profession, including processing grievances, and to make recommendations concerning them to the Executive Board.
- Section 4. The Instructional and Professional Development Committee shall explore and develop action programs to raise and maintain standards for certification, employment, and assignment as determined by the Indiana State Professional Standards Board. In addition, the committee shall seek to improve opportunities for meaningful in-service professional education, to create and maintain rapport between the Association and institutions of higher education, and to promote a continuing study of interpersonal relations in order to encourage an atmosphere conducive to the effective functioning of the educational process. Further, the committee shall cooperate with the local chapters of Future Teachers of America and the student branch of NEA, and shall exercise professional concern in programs involving cadet teachers, student teachers, mentee teachers, and in programs relating to the concept of professional autonomy. The committee shall also develop and conduct programs for the orientation of teachers new to the community, the school system, and the Association. The committee is also responsible for supervising the activities relating to the selection of Association scholarship recipients.
- Section 5. The Professional Advancement Committee shall explore and prepare action programs relating to salaries, leaves, fringe benefits, insurance, credit and investment facilities, and general working conditions. In addition, it shall report to the Professional Negotiations Committee.
- Section 6. The Public Relations Committee shall be charged with the responsibility of informing the membership through periodical written messages or newsletters of school activities, membership news, and local, state, or national activities. In addition, the committee shall seek to develop public understanding of the purposes and programs of the Association, the values and importance of public education, and, in cooperation with the administration and School Board of Perry Township Schools, the education philosophy and programs of the schools. Further, the committee shall promote American Education Week and other Association programs.
- Section 7. The Legislative and Political Action Committee shall have broad concern for local, state, and national legislation affecting the interests of the Association and for the exercise of civic responsibilities by members. The committee shall inform members about newly-enacted legislation by organizing as a political action group to cooperate with ISTA's and NEA's legislative efforts.
- Section 8. The Discussion Committee shall have the responsibility of meeting with representatives of Perry Township Schools School Board according to the terms of IC 20-29-2-7 and according to the locally-discussed Teacher Handbook. Reports of progress of discussions shall be made to the Executive Board and to the Association Representative Council by the committee chairperson. Written reports of discussion minutes will be made available by the committee chairperson to Association Representatives for duplication and distribution to the general membership.

Section 9. The Professional Negotiations Committee shall consist of at least five members – the chairperson appointed by the President, the chairperson of the Professional Advancement Committee, and three members appointed by the President. It will be a priority that all grade levels be represented.

The Professional Negotiations Committee shall be empowered by the membership to negotiate the terms and conditions as outlined in the Negotiated Agreement with the Perry Township Schools School Board's Negotiating Team or its designated representative(s). The Association's committee shall be fully empowered to make proposals and counterproposals in the process of reaching tentative agreement. Tentative agreement will always be subject to the final ratification by the membership during any special or regular membership meeting with ratification being determined by the simple majority vote of those members in good standing who are present at the ratification meeting. Said voting will be accomplished by secret ballot.

Section 10. The Sick Bank Committee shall meet as necessary in accordance with the provisions of the Negotiated Agreement. The Association's component of the committee will be made up of the President or the President's designee and two other members who are appointed by the President. The committee shall be empowered to administer the rules and regulations of the Sick Bank, and to grant or deny sick leave to the members of the Sick Bank as deemed appropriate according to individual sick bank member's circumstances and the current financial condition of the Sick Bank.

Section 11. The Elections Committee shall be composed of one member from the elementary level, one member from the middle school level, and one member from the high school level. The committee shall provide each member the opportunity to nominate a qualified person for conducting the following elections for the Association by the specified dates: (a) officers of the Association and District Council delegates before March 31, and (b) NEA Representative Assembly delegates before March 31.

Section 12. The Social Committee shall organize such social activities as may serve the needs of members and promote fellowship within the Association. The committee shall be responsible for providing an orientation program for new teachers.

Section 13. The Deferred Compensation Committee shall meet as necessary in accordance with the provisions of the current Negotiated Agreement between The Board of Education of Perry Township Schools and The Perry Education Association. The Association's component of the committee shall be made up of the President or the President's designee and one other member who is appointed by the President. The Deferred Compensation Plans Oversight Committee shall provide oversight for the administration and performance of the Deferred Compensation Plans and shall oversee vendor compliance with Perry Township Schools Plan Documents for Deferred Compensation Plans.

Section 14. The Minority Affairs Committee shall monitor the minority guarantees provided in PEA/ISTA/NEA documents, provide input for the Association's programs and services related to its concerns, and seek to increase minority membership and participation in the Association. The committee shall also make reports and recommendations to the Executive Board and to the Association Representative Council as needed to fulfill these charges.

ARTICLE IV
AD HOC COMMITTEES

Ad hoc committees may be formed as deemed necessary by the President and the Executive Board. These committees must have a stated purpose with the chairperson being appointed by the President with the approval of the Executive Board.

ARTICLE V
DELEGATES

Section 1. Delegates to the ISTA Representative Assembly and to the NEA Representative Assembly shall be elected by the membership. The election shall be conducted with open nominations and a secret ballot. Delegates to the ISTA Representative Assembly shall be elected in accordance with ISTA By-Law requirements regarding such elections. The election of NEA Representative Assembly delegates is to be completed and reported according to the State Plan.

Section 2. Preparations shall be made for run-off elections if necessary.

Section 3. Minority representations in such delegateships shall be proportionate to the minority membership of the Association whenever possible.

ARTICLE VI
DUES

Section 1. The annual dues of the local Association shall be determined by multiplying a factor of .001325 times the base salary for a beginning Perry Township Schools teacher.

Section 2. Members shall be encouraged to participate in the payroll deductions plan for professional dues.

ARTICLE VII
QUORUM

A quorum for the Executive Board, the Association Representative Council, and committees shall be a majority of their members. A quorum for general meetings shall be at least a majority of the members of the Association Representative Council including three officers, one of whom shall be the President or one of the Vice-Presidents.

ARTICLE VIII
AMENDMENTS

The By-Laws may be amended by the two-thirds majority vote of the members of the Association Representative Council at any regular meeting provided a written proposal has been filed with the Secretary, the membership has been notified by the Association Representative, and the proposed amendment(s) was/were presented at a previous meeting for consideration and discussion. Member notification by the Association Representatives shall consist of posting and/or distributing copies of the proposed amendment(s).