

# Hillsboro Education Association

## BYLAWS

Approved by the Representative Council on 4/18/2016

### ARTICLE 1 NAME AND AFFILIATION

- A. The name of this Association shall be Hillsboro Education Association, hereinafter referred to as the Association or HEA.
- B. The Association shall affiliate with the Washington County UniServ Council, the Oregon Education Association (OEA), and the National Education Association (NEA).

### ARTICLE 2 PURPOSE

- A. To represent its members in their employment relations.
- B. To unify and strengthen the united teaching profession while presenting a positive image of teachers in the community.
- C. To maintain and improve educational excellence in the District.
- D. To bargain with school boards for professional salaries, fringe benefits, working conditions, and instructional improvement.
- E. 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 Board of Education and other legal authorities.
- F. To participate actively in OEA and NEA affairs. The Association shall participate actively in Washington County UniServ Council and shall pay its share of Council operating costs.
- G. To work toward enactment of legislation favorable to education and elect candidates who will support education.
- H. To secure, protect and expand personal, professional, legal and human rights for all members.
- I. To act for the good of our membership in any way allowed by law.

### ARTICLE 3 MEMBERSHIP

- A. Association Members shall consist of all certified personnel in the District who have paid dues of HEA, OEA, and NEA for the current year.
  - 1. Active Members are voluntary members who are eligible to vote; hold HEA, OEA, and NEA office; serve as delegates for the Association as defined in the Bylaws of OEA/NEA, and may participate fully in all HEA activities.

2. Fair Share fee payers shall have limited rights and shall not be eligible to vote on Association matters except those which are mandated by law; or serve as representatives of HEA, OEA, or NEA.
- B. To withdraw from continuing membership, active members shall revoke their membership, in writing, between August 1 and October 1 of any year.

#### **ARTICLE 4 ELECTED OFFICERS**

- A. The officers shall be President, Vice President, Secretary, and Treasurer.
- B. DUTIES
1. President
    - a. Attend OEA's President's Training.
    - b. Represent and speak for the Association.
    - c. Preside at general membership, Representative Council and Executive Board meetings.
    - d. Appoint a parliamentarian, subject to Executive Board approval.
    - e. Appoint chairpersons of all standing committees, subject to Executive Board approval.
    - f. Appoint the Bargaining team in collaboration with the Bargaining Chair.
    - g. Be an ex-officio member of all committees and task forces.
    - h. Carry out the directives of the Executive Board and Representative Council.
    - i. Be responsible for internal and external communications.
    - j. Promote membership.
    - k. Fill all Executive Board vacancies by appointment, subject to Executive Board and Representative Council approval.
    - l. Monitor and enforce the Bylaws.
    - m. Represent HEA at school board meetings as the official Association spokesperson.
    - n. Prepare a yearly Association program budget with the assistance of the Treasurer and Vice President for approval by the Executive Board.
    - o. Represent HEA at Washington County UniServ Council meetings.
    - p. File taxes following preparation by a certified accountant in accordance with the HEA's Financial Management Policy.
    - q. Arrange for an annual independent audit.
  2. Vice President
    - a. Assist the President in the performance of his/her duties.
    - b. Represent and speak for the Association as directed by the President.
    - c. Assume the duties of President in the President's absence.
    - d. Be an ex-officio member of all committees and task forces.
    - e. Serve as a liaison to new members.

- f. Represent HEA at district budget hearings.
  - g. Represent HEA at Washington County UniServ Council meetings.
  - h. Serve on the Executive Board and Representative Council.
  - i. Assume the office of the President in case the office becomes vacant.
  - j. Serve on the budget committee.
3. Secretary
- a. Maintain a roster of members, committees and chairpersons.
  - b. Keep minutes and records of all general membership, Representative Council, Executive Board meetings and other meetings as requested by the President.
  - c. Take attendance at Representative Council and Executive Board meetings.
  - d. Serve on the Executive Board and Representative Council.
4. Treasurer
- a. Be responsible for the funds of the Association.
  - b. Disburse funds, upon authorities of the President, Executive Board or Representative Council.
  - c. Keep an accurate account of receipts and disbursements.
  - d. Make a financial report for each Representative Council meeting.
  - e. Assist the President in preparing an Association program budget.
  - f. Prepare materials for the tax preparer and file tax and financial documents to the IRS for the fiscal year of the Treasurer's term, as required.
  - g. Serve on the Executive Board and Representative Council.

**ARTICLE 5 EXECUTIVE BOARD**

**A. MEMBERS**

- 1. The Executive Board shall consist of the Association President, Vice President, Secretary, Treasurer, the Bargaining Chair, the Political Chair, a Middle School At-Large Representative, High School At-Large Representative, Special Education At-Large Representative, ELL At-Large Representative, and two Elementary At-Large Representatives.
- 2. Representatives from the elementary, middle, and high school levels as well as from Special Education and English Language teachers will be voted on annually by the Representative Council.
- 3. Any vacancies will be filled by nomination and vote by the Representative Council.

**B. DUTIES**

- 1. Serve as the executive body of the Association in all delegated matters.
- 2. Determine interim policy between Representative Council meetings.
- 3. Attend Representative Council meetings.
- 4. Hear regular reports of the committees and task forces.

5. Make necessary recommendations for action to the Representative Council.
  6. Recommend an annual Association program budget to the Representative Council.
  7. Review and supervise HEA budget.
  8. Call a special general membership or Representative Council meeting by a majority vote.
- C. MEETINGS
1. Meet monthly except in July.
  2. Meet more often in special meetings called at the direction of the President or by a majority of the Board.
  3. Be permitted to conduct Executive Sessions with a majority vote of the Board.
- D. QUORUM
1. A simple majority of those members serving shall be a quorum.

## **ARTICLE 6 REPRESENTATIVE COUNCIL**

- A. MEMBERS
- Members of the Representative Council shall consist of the Executive Board and active HEA members who have been elected by their individual buildings.
- B. DUTIES
- The Representative Council shall be the legislative and policy forming body of the Association. Powers not delegated to the Executive Board, the officers or other groups in the HEA shall be vested in the Representative Council.
- Council shall:
1. Represent HEA members in their building.
  2. Call meetings of their constituents at least once a month during the school year.
  3. Appoint such building or caucus committees, as the Association may require.
  4. Organize and oversee all required voting at the building level.
  5. Work with the Membership Committee to enroll new members.
  6. Bring reports, questions, and suggestions from those they represent to the HEA Representative Council meetings.
  7. Disseminate information of Association activities to their constituents.
  8. Refer issues for discussion or a vote to Association members.
  9. Be responsible for setting the policy of the Association.
  10. Attend the regular and special meetings of the HEA Representative Council.
  11. Consider and approve the Association program budget presented by the Executive Board.
  12. Confirm appointments to Executive Board.
  13. Approve any waiver or change in contract language by a two-thirds (2/3) majority of the Representative Council (see Article 11).

C. MEETINGS

1. Regular Meetings

The Representative Council shall meet at least once a month except in July, unless the President or Executive Board deems a meeting unnecessary.

A calendar of the regular monthly meetings shall be presented at the first meeting. All Representative Council meetings shall be open to HEA members who may speak when recognized by the presiding officer.

2. Special Meetings

Special meetings may be called by the HEA President or a majority of the HEA Representative Council.

D. QUORUM

1. A simple majority of those members serving shall be a quorum.

E. VACANCIES

1. If the Representative is absent from two successive meetings without notice, the President may declare the position vacant.

a. If the position of Building Representative is declared vacant, the President shall notify the members of the faculty, advising them if an election is necessary.

2. The President may make interim appointments until an election can be held.

E. ELECTIONS

1. Association members in each building shall elect a representative for every 25 members (or major fraction thereof) with a minimum of one per building.

a. Candidates for Representative Council must receive at least 50% of the votes cast to be elected.

b. In smaller buildings, elected members to Representative Council may choose to job share, but receive only one vote per position. A school is deemed small if it is entitled to only one vote.

**ARTICLE 7 TERMS OF OFFICE, ELECTIONS, VACANCIES AND RECALL**

A. TERMS OF OFFICE

1. President

The President shall serve a two year term which shall begin on July 1. The President shall serve no more than three (3) consecutive terms.

2. Other Officers

The Vice President, Secretary, and Treasurer shall serve a two-year term, beginning July 1.

3. Building Representatives

Building Representatives to Representative Council shall serve a two-year term, beginning July 1.

B. ELECTIONS

1. Rules

Rules for conducting elections will be presented by the Elections Committee to the Representative Council for their approval. The Election Rules will be based on the guidelines incorporated in these Bylaws and on Robert's Rules of Order (revised).

2. Nominations

- a. The President shall distribute to all members a list of all positions available for election as well as the date of the election.
- b. A specified Representative Council Meeting shall mark the beginning of the nomination process for HEA elections.
- c. The Elections Committee shall compile a list of candidates according to the Election Rules. Candidates may be nominated with consent or self declared.
- d. Nominations shall be accepted from the floor at no less than two Representative Council meetings.
- f. All candidates must be active HEA members.
- g. All nominations must be declared ten (10) days prior to the election.

3. Election Procedure

- a. Members shall vote by secret ballot.
- b. Elections shall take place no later than during the second week of April.
- c. Elections for OEA RA shall be included.
- d. Date of elections shall be established by the President.
- e. Results shall be announced within five days of the election.

C. VACANCIES

1. Conditions

- a. a written resignation has been received by the Executive Board.
- b. resignation from employment with the District has been confirmed.
- c. loss of membership in HEA/OEA/NEA has been established.
- d. removal from office, as provided in the Bylaws has been completed.

2. Whenever the office of Vice President becomes vacant between elections, the Representative Council shall appoint one of their members as temporary Vice President until an election occurs.

3. Appointments

The President shall notify the Executive Board of other vacancies for input. The President shall submit names for the filling of these vacancies to the Executive Board for confirmation, and approval by the Representative Council by a majority vote. The person so appointed shall complete the current year's term.

4. Positions  
Positions that may be filled by appointment include:
  - a. Secretary
  - b. Treasurer
  - c. Any non-elected position

D. RECALL

1. Officers

Any member may initiate recall action of an officer by a petition signed by 100 members. Upon receipt of the petition, the Executive Board shall set a recall election date to occur within 30 days. Two-thirds (2/3) majority of the members voting shall be required for recall to be declared.

2. Building Representatives

Any member of a building shall have the right to initiate recall action of any of its own representatives to the Representative Council by a petition signed by twenty-five percent (25%) of the building's HEA members. Upon receipt of the petition, the Executive Board shall set a recall election date to occur within 30 days. Two-thirds (2/3) majority of the building's HEA members shall be required for recall to be declared.

## **ARTICLE 8 STANDING COMMITTEES AND SPECIAL COMMITTEES**

A. FORMATION

Each year the President shall appoint members of standing and special committees in order to carry out the business of the Association. The committee members, structure, and duties shall be established and approved by the Executive Board. Standing Committee chairpersons shall be approved by the Representative Council.

B. TERM OF OFFICE

The term of each appointed position shall expire June 30<sup>th</sup>, at the end of their two-year term.

## **ARTICLE 9 DUES**

A. ASSESSMENT

1. All Association Members shall be assessed equally whether active or fair share fee payers.
2. Members who are .51 FTE to 1.0 FTE will be assessed the full amount.
3. Members who are .01 to .50 FTE will be assessed half the full dues amount.

B. DUES STRUCTURE

1. HEA dues shall be set at an amount not greater than the amount determined by multiplying the base salary times .0038.

2. The base salary will be considered as that salary in effect as of July 1 of that school year.

## **ARTICLE 10 AMENDMENTS**

### **A. PROPOSED AMENDMENTS**

An amendment to these Bylaws may be introduced at any regular meeting of the HEA Representative Council, where the proposed amendment must be printed and read to the body present. The proposed amendment shall be distributed to all HEA members for their consideration and input. The proposed amendment shall be read at the next regular meeting of the Representative Council and voted upon at that time.

### **B. ACCEPTANCE OF AMENDMENT**

A proposed amendment to the Bylaws may be adopted:

1. By a two-thirds (2/3) vote of the Representative Council.

## **ARTICLE 11 MASTER CONTRACT RATIFICATION AND WAIVERS**

### **A. MASTER CONTRACT RATIFICATION**

The Master Contract tentatively agreed upon through negotiation process between representatives of the Hillsboro School Board and the HEA shall be approved, upon ratification, by a simple majority of those voting. All Active Members may vote.

### **B. MASTER CONTRACT WAIVERS**

Any proposed waiver or change in contract language must be presented in writing to the Representative Council. The proposal shall be approved by a two-thirds (2/3) majority of the Representative Council. Acceptance of a waiver shall result in an MOU, that is signed by Hillsboro School District 1J (HR), and the President of HEA.

## **ARTICLE 12 GRIEVANCE PROCEDURES**

A. Grievance procedures are outlined in Article 11 of the Professional Agreement Between Hillsboro Education Association and Hillsboro School District 1J.

B. The Grievance Committee shall consist of the President, Vice-President, Past President, and Bargaining Chair.

- C. The Grievance Committee shall be empowered to act on requests to carry grievances to arbitration. The Grievance Committee shall consider the following:
1. The relative merits of the grievance. The merits of the case shall be based on the ultimate determination of whether the contract language in issue, as applied to the facts in issue, can be successfully argued to reach the conclusion desired by the aggrieved. Arbitrators consider evidence indicating the meaning of the contract language as supported by negotiations history and past practice.
  2. The potential adverse precedent which arbitration might cause.



3. The impact the decision may have on all the other members of the bargaining unit.
  4. The expense of arbitration in comparison to the potential remedy for the aggrieved.
- D. If the Grievance Committee accepts the grievance or taking the grievance to arbitration, it will be carried forward for acceptance or denial by the Executive Board
  - E. If the Grievance Committee or the Executive Board denies the grievance or arbitration, the Grievance Committee shall reduce its analysis of the grievance to writing, particularly emphasizing any weakness in the grievance. A copy of this analysis and decision shall be given to the aggrieved.
  - F. The aggrieved shall be invited to meet with the Executive Board to present any evidence and arguments the aggrieved may have to overcome the weaknesses identified by the Grievance Committee.
  - G. If a decision is reached to deny grievance or arbitration again, the Grievance Committee shall again communicate in writing with the aggrieved setting forth the reasons why the HEA will not take the grievance or go to arbitration.

#### **ARTICLE 13 ROBERT'S RULES OF ORDER**

Robert's Rules of Order, Revised, or rules of order otherwise specifically adopted, shall be the authority on questions of procedures not specifically stated in these Bylaws. It shall be the duty of the Parliamentarian (appointed by the President) to advise the President on all such questions.

#### **ARTICLE 14 RATIFICATION**

These Bylaws shall become effective on May 18, 2016, if two-thirds (2/3) of the Representative Council approve.

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