

St. Johns Education Association

*Bylaws*

# ARTICLE I - AUTHORITY

**Section 1:** The highest policy making body of SJEA is the general membership**.**

**Section 2:** The Representative Council has responsibility for transacting the business and setting official policy for SJEA between meetings of the general membership.

**Section 3:** The Executive Board shall have the responsibility and authority to take action and to transact SJEA business between meetings of the general membership and the Representative Council to recommend policy changes and to act on an emergency basis.

# ARTICLE II - DUTIES AND RESPONSIBILITIES

**Section 1:** The Representative Council shall serve as the policy-setting body of the Association and shall be responsible for establishing the annual dues, adopting an annual budget, approving committee appointments, approving dates and times of general membership meetings, and ratifying all contracts recommended by the Executive Board.

**Section 2:** The Executive Board shall recommend action to the Representative Council, supervise the work of the standing committees, plan and promote professional development opportunities, and oversee the day-to-day management of the Association. Actions of the Executive Board shall be subject to the approval of the Representative Council.

**Section 3: The President shall:**

1. Preside at all meetings of the association, including the Executive Board, the Representative Council, and general membership meetings.
2. Appoint the chairpersons and members of standing committees, special committees, and fill open positions on committees subject to the review by the Executive Board and approval of the Representative Council.
3. Charge each committee with the goals for the year.
4. Be an ex-officio member of all standing committees.
5. Assist the treasurer in preparing a preliminary budget to be presented to the Executive Board and Representative Council.
6. Prepare a tentative agenda for each meeting of the Executive Board, Representative Council, and general membership.
7. Be the official spokesperson for the Association unless the president delegates such authority to another person.
8. Serve as representative to the Northeast Florida Service Unit Council, per NEFSU documents
9. Serve as representative on the FEA Governance Board, per FEA documents.
10. Prepare a written overview of the activities of the president for the current month for the Representative Council.
11. Perform such other functions usually attributed to the office that are not specified herein.

**Section 4: The 1st Vice-President shall:**

1. Assume the duties of the president in the absence of the president.
2. Serve as Chairperson of the Membership Committee.
3. Serve as Chairperson of the Retirement Banquet.
4. Serve as Chairperson of the Scholarship Committee.
5. Maintain an up-to-date roster of members.
6. Facilitate Building Representative elections per Elections Bylaws.
7. Prepare a written overview of the activities of the 1st vice-president for the current month for the Representative Council.
8. Serve as Benefits Contact.
9. Supervise and schedule member organizers.
10. Be responsible for sending notices of all Association meetings.
11. Perform such other duties as may be designated by the president or the Representative Council.

**Section 5: The 2nd Vice-President shall:**

1. Serve as the Chairperson of the Martin Luther King, Jr. Committee.
2. Be responsible for ensuring adherence to elections guidelines and that the Elections Chair communicates to the membership the results of and vote count of each candidate during an election, including any irregularities and or challenges.
3. Responsible for ensuring that the Executive Board officers and committee chair develop policies and procedures to be contributed to and incorporated into a Policies and Procedures Manual.
4. Responsible for compiling, maintaining, and updating the Policies and Procedures Manual and to make such policies and procedures readily accessible and available to the membership.
5. Maintain continuous branding of SJEA on all relevant platforms.
6. Perform such other duties as may be designated by the president or Representative Council.

**Section 6: The Secretary shall:**

1. Keep the minutes of all Executive Board, Representative Council, and General Membership Meetings of the Association.
2. Provide minutes of the previous Executive Board meetings to the Executive Board at least two (2) calendar days before the next Executive Board meeting.
3. Provide minutes of the previous Executive Board meetings and previous Representative Council meetings to the Representative Council at least two (2) calendar days before the next Representative Council meeting.
4. Manage all other assigned correspondence.
5. Retain all files for seven (7) calendar years.
6. Perform such other duties as may be designated by the president.

**Section 7*:* The Treasurer shall:**

1. Receive all income for the Association.
2. Make disbursements authorized by the Budget or Representative Council.
3. Keep accurate and current records of all receipts and disbursements.
4. Report on the financial condition of the organization at each Executive Board, Representative Council, and General Membership Meetings of the Association.
5. Maintain an accurate record of membership dues.
6. Serve as Chair of the Budget Committee. Assist the president and budget committee in preparing a detailed preliminary budget.
7. Transmit dues to the regional, state, and national affiliates.
8. Make the financial records of the Association available for an annual audit and tax preparation and report the results to the Executive Board and Representative Council.
9. Any member of the organization in good standing may review a hard copy of the financial records of the organization upon request.
10. Ensure that all checks shall be co-signed by the president and the treasurer.
11. Retain all financial documents for seven (7) fiscal years.
12. Perform such other duties as may be designated by the president or Representative Council.

**Section 8: Each Building Representative shall perform the following duties:**

1. Recruit members and assist in updating and maintaining membership records at the school level.
2. Represent site members at all meetings of the Representative Council.
3. Keep site members informed about the pertinent matters of the Association through regular communications and distribution of Association materials.
4. Be familiar with all aspects of the contract.
5. Process grievances for his/her constituency in accordance with the provisions of the contract.
6. Be willing and available to represent a member in meetings with supervisors.
7. Hold monthly meetings at the site.
8. Perform such other duties as may be assigned by the president or the Representative Council.

# ARTICLE III - COMMITTEES

**Section 1:** Standing committees of the Association shall be the following: Membership, Public Relations, Elections, Political Action, Bargaining, Scholarship, Grievance, Martin Luther King Jr, Budget, Review Board, and Constitution and Bylaws.

**Section 2:** Committees shall develop Policies and Procedures to address recurring actions, needs or potential conflicts. Policies and Procedures shall be developed and written in such a way that the policies are clearly stated and that any administrative or practical steps required are clearly set forth in plain unequivocal language.

**Section 3**: The president shall notify the membership of vacancies for standing committees annually and of the self-nomination process.

**Section 4**: Members of standing committees shall be appointed for a three (3) year term and shall be eligible for reappointment.

**Section 5:** The president shall appoint the Chairpersons of all committees, the members of all standing committees, and fill any vacancy on all committees subject to review by the Executive Board, and approval of the Representative Council.

**Section 6:** Each standing committee shall consist of a minimum of a Chairperson and at least two (2) members.

**Section 7:** Special committees shall be those considered necessary by the president, with the approval of the Representative Council.

**Section 8:** The Chairperson of each committee shall be responsible for making a report of the work and activities of the committee by the last general meeting of the Association each year.

**Section 9:** The president shall set forth the responsibilities of each committee, included but not limited to:

1. Membership Committee: Reviewing and recommending guidelines and policies related to but not limited to organizing activities, recruitment, and retention.
2. Public Relations Committee: Reviewing and recommending guidelines and policies related to but not limited to social media posts, electronic communications (emails), newsletters, and website development.
3. Elections Committee: Reviewing and recommending guidelines and policies related to but not limited to conducting elections of all officers, delegates, and representatives for external organizations; facilitating voting on ratifications; Constitution and Bylaws amendments.
4. Political Action Committee: Reviewing and recommending guidelines and policies related to but not limited to interviewing, evaluating, and endorsing candidates for state and local office, establishing SJEA’s political goals, and coordinating with committees that further the Association’s goals.
5. Bargaining Committee: Reviewing and recommending guidelines and policies related to but not limited to negotiated agreements, working conditions, and other issues that will impact the general membership.
6. Scholarship Committee: Advertising, reviewing, selecting, and announcing winners of the various scholarships; assisting with any related award ceremonies.
7. Grievance Committee: Reviewing and recommending appropriate actions to the president on all formal grievances.
8. Martin Luther King, Jr Committee: Advertising, reviewing, selecting, and announcing winners of the annual Martin Luther King, Jr. poster and essay contest; assisting with any related award ceremonies.
9. Budget Committee: Meet with the president and treasurer of the budget committee to formulate a budget proposal to be furnished to the Executive Board for its review and recommendations. The Executive Board may make additions or changes. Upon approval from the Executive Board, the proposed budget will be submitted to the Representative Council. The Representative Council may make necessary modifications to the budget prior to approval.
10. Constitution and Bylaws Committee: Processing proposal(s) for Constitution and Bylaws amendment(s) in the manner provided in the existing Bylaws; recommending Constitutional amendments to the membership; rendering upon request advisory opinion involving the interpretation of the Constitution or Bylaws.
11. Review Board: Investigate cases of censure, suspension, or expulsion and submit findings of facts.

**ARTICLE IV - MEETINGS**

**Section 1:** The Representative Council shall meet once each month of each school year. The Representative Council shall also meet at the call of the president, or by a petition signed by at least one-third (1/3) of the members of the Representative Council.

**Section 2:** The Executive Board shall meet a minimum of once per month. The president shall call special meetings of the Executive Board as needed.

**Section 3:** There shall be at least two (2) General Membership Meetings during each school year.

**Section 4:** The president may call special meetings of the general membership with the approval of the Representative Council and Executive Board or upon written request signed by at least twenty-five percent (25%) of the general membership.

# ARTICLE V - QUORUMS

**Section 1:** The members present shall constitute a quorum at all meetings of the Association.

# ARTICLE VI - CENSURE AND RECALL

**Section 1:** A member who fails to adhere to any of the conditions of membership provided in the Constitution and Bylaws or policies of SJEA shall be subject to censure or expulsion upon the recommendation of the Executive Board.

**Section 2:** A member who has been recommended for censure or expulsion shall have the right to have the decision to censure or expel reviewed by the Review Board in accordance with due process principles. The Review Board will make a recommendation for appropriate action to the Executive Board. If no appeal is filed, the decision of the Executive Board shall be final.

**Section 3:** Within five (5) calendar days following the decision of the Executive Board, a member who is censured or expelled may appeal the decision to the Representative Council by delivery of a written note of appeal to the President. Action of the Representative Council shall be final.

**Section 4:** By a two-thirds (2/3) vote of the Representative Council, a member of the Association may be censured, suspended, or expelled for just cause, including violation of the Principles of Professional Conduct for the Education Professional in Florida. A censured, suspended, or expelled member may appeal the decision to the Representative Council at a regular general membership meeting. A majority vote at the meeting shall determine the results of the appeal.

**Section 5:** By a two-thirds (2/3) vote of the Representative Council at a regularly scheduled meeting, a member of the Representative Council may be recalled for just cause. The member being recalled may appeal the decision of the Representative Council at the next general membership meeting. A majority vote at the meeting shall determine the results of the appeal.

**Section 6:** The president may replace a committee member for just cause with approval of the Executive Board.

**ARTICLE VII - DUES AND MEMBERSHIP YEAR**

**Section 1:** The Representative Council prior to the beginning of the current school year shall establish dues for active members for a subsequent year. In addition to the active member dues set by the Representative Council, an additional amount shall be collected for the SJEA-PAC and administered pursuant to SJEA-PAC Operational Policies approved by the SJEA Representative Council.

**Section 2:** Dues can be withheld from paychecks or paid in cash. Full cash payment should be received by the treasurer no later than September 15th of the dues’ year. In case of a partial year, payment must be received by the treasurer no later than thirty (30) days after joining the Association.

**Section 3:** Dues of the state and national affiliates shall be those established by the respective governing documents.

**Section 4:** The fiscal year and membership year of this Association shall begin the first day of September and end the 31st day of August.

**ARTICLE VIII- ELECTIONS**

**Section 1: Overview**

1. All active members of the Association shall be eligible to vote in elections within the Association.
2. All officers shall be active members of the association and shall have been members for at least one (1) calendar year prior to taking office.
3. A procedure for open nominations shall be provided for each active member.
4. All elections shall be conducted by a secret ballot.
5. After all the ballots are tallied, the candidate who has received the highest number of votes is declared the winner.
6. In the event of a tie, then a run-off election will be conducted.
7. The Elections Committee shall be responsible for ensuring elections in accordance with the Constitution and Bylaws.

**Section 2:** **Election of Officers**

1. All Officers shall be elected for a term of three (3) years and may serve multiple terms, as elected by the membership.
2. If the number of candidates on the ballot is equal to or less than the number of positions to be filled and there has been a period of open nominations provided, an election by secret ballot shall be waived and those candidates shall be declared elected by acclamation.
3. In the event a vacancy occurs in the office of the Presidency, the 1st vice president shall be elevated to the Presidency to fill the unexpired term. Should the 1st vice president be unable to serve in the office, the 2nd vice president shall be elevated to the Presidency.
4. Should either a vice president, secretary, or treasurer not be able to complete the term, the Executive Board shall elect a successor from the Representative Council to the vacant position, subject to the approval by the Representative Council, to serve until the next election. In the event a candidate is not approved, the Executive Board may propose another candidate within 30 days, subject to the approval of the Representative Council.

**Section 3:** **Building Representative Elections**

1. All Building Representatives shall be elected for a term of three (3) years and may serve multiple terms, as elected by the site membership.
2. If the number of candidates on the ballot is equal to or less than the number of positions to be filled and there has been a period of open nominations provided, an election by secret ballot shall be waived and those candidates shall be declared elected by acclamation.
3. Building representatives may serve successive terms, if elected. In the event a vacancy occurs, the membership within that site shall elect another member to serve the unexpired term.
4. In the event a vacancy occurs without nomination from membership within that site, the president may appoint another member from within that site to serve the remainder of the unexpired term; the appointment shall be approved by the Executive Board.

**Section 4:** **Delegate Elections**

1. Any member of the Association shall be eligible for nomination as a delegate to the State and/or National Convention.
2. If the number of candidates on the ballot is equal to or less than the number of positions to be filled and there has been a period of open nominations provided, an election by secret ballot shall be waived and those candidates shall be declared elected by acclamation.
3. All delegates shall be elected for a term of one (1) year and may serve multiple terms, as elected by the membership.

**ARTICLE IX – ELECTION PROCEDURES**

**Section 1:** It is the purpose of these Election Procedures to encourage member candidacy for office, to ensure fair elections and equitable treatment of all candidates, and to provide an orderly and fair procedure for the resolution of campaign and election conflicts and problems; and to address all issues related to the voting process of elections, ratifications, and amendments to the Constitution and Bylaws

**Section 2:** The Election Procedures are a living document that grows out of election experience. Each year, the Election Committee reviews the election activity, takes suggestions from candidates and members, and will make recommendations to the Executive Board and the Representative Council for any necessary or desired changes in the Election Procedures.

**Section 3:** These Election Procedures are written for and in compliance with the Federal Landrum-Griffin Act which ultimately governs elections in public sector unions with private sector members. These Election Procedures will be revised as necessary for elections conducted in succeeding years.

**Section 4: Nominations**

1. Self-nomination forms will be sent out at least one hundred (100) days before the election.
2. Self-nomination forms will be collected within fourteen (14) calendar days of the day sent.
3. The Elections Committee will meet and review eligibility of candidates within fourteen (14) calendar days after the nomination period ends. All candidates will be notified of eligibility.
4. All officers shall be active members of the Association and shall have been members for at least one (1) calendar year prior to taking office.

**Section 5: Eligible Voters**

1. All active members of the Association shall be eligible to vote in the Association.

**Section 6: Candidate Guidelines**

1. Candidates cannot start campaigning until he/she has received and signed for the Bylaws and other documents by an Elections Committee member.
2. Candidates will receive Election Guidelines, Dos and Don’ts of Running a Campaign, and be able to ask questions about Election Procedures.
3. Candidates may begin campaigning one (1) day following receipt of Election Guidelines.
4. If a candidate wishes to withdraw from the election, he/she must do so in writing to the Elections Committee.
5. Candidates may not campaign through school district communication systems.
6. Campaigning by mail is at the candidates’ expense; there is no limit to the number of mailings.
7. No campaign materials shall be distributed or displayed at the election polling place.
8. Current membership lists are available to all candidates upon request.
9. All printed or non-printed campaign materials must bear the written identification of the candidate.
10. A candidate must obtain written permission prior to using a member’s name or picture in any campaign literature for testimonial purposes.
11. A candidate may have one (1) observer, or the candidate may be present during the ballot counting. The names of all observers must be in writing to the Elections Committee five (5) calendar days before the counting of the ballots. Observers shall not interfere with nor disrupt the election process. Guidelines will be provided to observers.
12. Allegations regarding the breach of Election Procedures shall be submitted in writing within two (2) calendar days of the occurrence to the Elections Committee for appropriate action, including but not limited to the disqualification of the candidate.
13. SJEA officers may not endorse nor campaign for another candidate during paid duty time or at any SJEA function.

**Section 7: Ballot Procedures**

1. Building Representative(s) or their designated member(s) will pick up and sign for ballot packets prior to the election.
2. Building Representatives will notify members at their site of the details regarding the upcoming election at least five (5) calendar days prior.
3. All ballot packets not picked up by a Building Representative will be delivered to the site by the Election Chair or designee to be signed for by the Building Representative.
4. If a site has no Building Representative, then the Elections Committee will appoint a member at that site to conduct the election.
5. A membership list shall be provided to each site. Building Representatives are responsible for verifying membership of voters, obtaining signatures on the voter sign-in register, and distributing one (1) ballot to each voter.
6. Ballots’ font size will be the same for all candidates and sections on the ballot. All candidates' names will be listed in alphabetical order.

# Section 8: Voting and Returning Ballots

1. Voting will take place across a series of four days designated by the Elections Committee. The Elections Committee will designate the day ballots will be returned by the Building Representative or their designee to the union office.
2. Every vote on a valid ballot will be counted if the voter has clearly marked their choice.
3. If a voter makes a mistake in voting for a position on the ballot, he/she may request another ballot from their Building Representative. The Building Representative must void the ballot and properly dispose of it by shredding the ballot.
4. If a voter makes a mistake, such as voting for too many candidates for a given office, during counting only the vote(s) for that office will be voided.
5. Building Representatives will ensure the number of completed ballots matches the number of signatures on the voter sign-in register; if the number of signatures and ballots does not match, the whole site’s votes will be invalidated. Building Representatives will not tabulate ballots.
6. All ballots must be hand-delivered to the SJEA office by the time and date designated by the Elections Committee. All ballots received after the designated time will be invalidated.
7. It is the responsibility of the Building Representative to keep the ballots and all voting materials in a secure location from the time of receipt to the time of return.
8. If any member is on the ballot in a contested election, he/she cannot conduct the election.
9. If the Building Representative is unable to conduct the election, he/she may designate another SJEA member to run the election and deliver the ballot packet to the SJEA office. No other person will be allowed to handle the ballots or conduct the election, or all ballots for that site will be invalidated. The Building Representative will notify the Elections Committee of the alternate SJEA member so that he/she is provided guidelines.

**Section 9: Counting the Votes**

1. The counting of the ballots shall begin at the designated time and date of ballot return; all materials must be secured at the SJEA office
2. The Elections Committee shall be responsible for overseeing the counting and tabulation of ballots in accordance with the Constitution and Bylaws.
3. The counting shall be done in the presence of any approved member or designated observer who has submitted their names in writing to the Elections Committee at least five (5) calendar days prior.
4. After all the ballots are tallied, the candidate who has received the highest number of votes is declared the winner. In the event of a tie, then a run-off election will be conducted.
5. The unofficial results of the election will be announced to the candidates and membership upon the completion of the tally. The official results will be announced to the membership within five (5) calendar days.
6. In the case of an election challenge, the official results will be announced to the membership within five (5) calendar days following the resolution of the challenge.

**Section 10: Election Procedure Challenges**

1. Any challenges to the election must be made to the Elections Committee within two (2) calendar days after the announcement of the unofficial results.
2. A detailed description of challenges must be submitted in writing to the Elections Committee Chair.
3. The Elections Committee is responsible for reviewing the challenge and issuing a decision as to whether the challenge is meritorious. If the alleged irregularity or violation could have affected the outcome of the election, then a new election shall be ordered.
4. The Elections Committee may take appropriate action to address other irregularities observed during the election.
5. Once the Elections Committee addresses a protest, the protest is considered resolved and will not be revisited by the Elections Committee.
6. Candidates may file a final appeal to the Executive Board in writing within two (2) calendar days of the decision of the Elections Committee. After review of all documentation, the Executive Board will make the final decision regarding any election protests and notify the candidate of the decision.
7. The Elections Committee will keep all election materials for one (1) year in a sealed box with the Election Chair’s signature and the date.

# ARTICLE X - AMENDMENTS

**Section 1:** Amendments to the Bylaws of SJEA may be proposed by any member to the Executive Board. The exact language of the amendment along with the rationale shall be submitted in writing to the Executive Board by the maker of the amendment

**Section 2**: The Executive Board shall submit proposed amendments to the Constitution and Bylaws Committee to evaluate compliance with governing documents. Upon review of the proposed amendment, the Constitution and Bylaws Committee will make a recommendation to the Executive Board to proceed or to return the proposal to the maker with the rationale.

**Section 3**: If approved, the text of proposed amendments shall then be sent to all members at least 30 calendar days prior to ratification.

**Section 4**: The Bylaws may be amended by a fifty percent (50%) + one (1) vote of the membership of SJEA casting ballots. Such vote shall be by secret ballot via site, mail, or electronic means. All adopted amendments shall become effective thirty (30) days after the ratification, unless otherwise stated.

# ARTICLE XI- PARLIAMENTARY AUTHORITY

**Section 1:** *Robert’s Rules of Order, Newly Revised,* shall be the parliamentary authority for the Association on all questions of operations procedure and on all questions not covered by the Constitution and Bylaws, or by such Standing Rules as the Association may adopt.

**Section 2:** The president shall appoint a parliamentarian.