



BYLAWS

Revised 03/07



BYLAWS

Article I NAME

The name of this organization shall be the Elgin Teachers Association and shall be referred to in the Bylaws as the Association.

Article II PURPOSE

- Section 1** To work for the welfare of children and the advancement of public educational opportunities for all.
- Section 2** To develop, secure, and maintain adequate compensation and terms and conditions of employment for all individuals represented by the Association in formal negotiations with the Board of Education.
- Section 3** To promote within the teaching group the highest type of professional practices; to encourage active participation of all teachers in the solution of school problems; to urge all members to be progressive students of education; to develop a genuine spirit of professional ethics.
- Section 4** To enable members to speak with a unified voice on matters pertaining to the teaching profession and to present their individual and common interests before the Board of Education, other legally constituted authorities, and the public.

Article III MEMBERSHIP

- Section 1** Any person represented by the Association in formal negotiations with the Board of Education is eligible for Active Membership in this Association with full rights and responsibilities. Active Membership shall be continuous until the member is no longer represented by the Association in formal negotiations with the district, resigns from the Association, or fails to pay membership dues.
- Section 2** Active members who have retired from active employment in the school district may become Honorary Members of this Association with rights and responsibilities determined by the Representative Assembly.

Section 3 According to the disciplinary procedures adopted by the Representative Assembly, any member may be disciplined for willfully violating a provision of the Association Bylaws or for engaging in conduct injurious to the Association or its purpose.

Article IV ELECTIONS COMMITTEE

Section 1 APPOINTMENTS

- A. An Elections Committee shall be appointed by the President subject to approval by the Board of Directors.
- B. The Elections Committee shall consist of a Chair and at least four other members and shall not include any member who is currently serving or is seeking an Association Office or Directorship.
- C. Any member whose name appears on the ballot shall not participate in the ballot tabulations.
- D. The Elections Committee shall be appointed for a two year term.
- E. If a vacancy occurs in the Elections Committee, the President shall appoint, subject to approval by the Board of Directors, a member to fill the unexpired term of that position.

Section 2 ELECTION PROCEDURES

- A. Any Association member may become a candidate for Director, Officer, or a delegate to an affiliate Representative Assembly by one of two processes:
 - 1. Any member shall file a statement of intent to become a candidate, specifying the position sought, with the Elections Committee, according to the timeline specified by the Elections Committee. The statement of intent shall require the signature of the member.
 - 2. Any Association member may nominate another Association member by filing a statement of intent to become a candidate, specifying the position sought, with the Elections Committee, according to the timeline specified by the Elections Committee. The statement of intent shall require the signature of both the nominator and nominee.
- B. All elections for Officers, Directors and Delegates to affiliate Representative Assemblies shall be conducted by secret ballot with provisions made for write-in votes.
- C. Upon request by any candidate for Officer, Director or Delegate to an affiliate Representative Assembly, the Association office shall print and distribute, exactly as submitted by the candidate, a 50 word or less candidate statement.
- D. Upon request by any candidate for Officer, Director or Delegate to an affiliate Representative Assembly, the Association office shall print and distribute, exactly as submitted by the candidate, a piece of campaign literature printed on one side of paper not to exceed 8 1/2" by 11".

- E. Positions on the ballot shall be determined by lot.
- F. Section Directors shall be elected by the members in the section and at the level to which they are assigned.
- G. The Ethnic Minority Director shall be elected by the ethnic minority members of the Association. Ethnic minority shall include American Indian/Alaskan Native, Asian, Native Hawaiian, or other Pacific Islander, Black and Hispanic. Other ethnic and cultural backgrounds may be appropriately categorized as ethnic minority as well.
- H. All procedures not specified in this Article for Association elections shall be determined by the Elections Committee subject to approval by the Board of Directors.

Section 3 ELECTION CHALLENGES

- A. Any member may challenge election results by submitting in writing to the Elections Committee the basis for the challenge. The challenge must be submitted within ten school days of the issuance of the election results.
- B. The Elections Committee shall make a determination within ten school days of receiving the challenge.
- C. If the challenger wishes to appeal the Elections Committee's determination, he/she must notify the President within five school days. At its next regularly scheduled meeting, the Representative Assembly shall rule on the challenge. The Representative Assembly shall be the final authority on all election challenges.
- D. Any member directly involved in the challenge may not be involved in determining the outcome of that challenge.

**Article V
OFFICERS**

Section 1 COMPOSITION

- A. Officers - The Officers of the Association shall be a President, a First Vice-President, a Second Vice-President, a Secretary and a Treasurer, each of whom shall be an active member of the Association.
- B. Full Time President - The office of President shall be a full time, elected position. The President shall take a full time Association leave.

Section 2 TERMS

- A. The Officers shall be elected for two-year terms. The President, First Vice-President, and Second Vice-President shall run as a single slate. The Secretary and Treasurer shall not be elected in the same year as the President, First Vice-President and Second Vice-President.

- B. There shall be no limit to the number of terms an Officer may serve.
- C. All Officers shall assume office at the regular June meeting of the Board of Directors.
- D. The President, First Vice-President, and Second Vice-President shall be delegates to the IEA and NEA Representative Assemblies during their terms in office. NEA Representative Assembly during their term(s) in office, and they shall be delegates to the IEA Representative Assembly during the first year of their term(s) and run as delegate candidates during the second year of their term(s).
- E. The President shall receive an annual honorarium equal to 0.25 of the beginning salary.
- F. The First Vice-President and the Second Vice-President shall each receive an annual honorarium of 0.11 of the beginning salary.
- G. The Secretary and the Treasurer shall each receive an annual honorarium of 0.11 of the beginning salary.

Section 3 POWERS AND DUTIES

- A. The President shall:
 - 1. Preside at all meetings of the Board of Directors, Representative Assembly and General Membership.
 - 2. Act with the Secretary or UniServ Directors as the legal executive officers of the Association.
 - 3. Appoint or remove Association committee chairpersons, subject to the approval of the Board of Directors; appoint or remove all other Association committee members with the advice of the respective chairperson and the approval of the Board of Directors.
 - 4. Appoint, subject to the approval of the Board of Directors, representatives to conventions, conferences, institutes and other worthwhile meetings except as provided elsewhere in the Bylaws.
 - 5. With the UniServ Directors, represent the Association before the public either personally or through delegates.
 - 6. Call special meetings of the Board of Directors, Representative Assembly, or General Membership when necessary.
 - 7. Appoint the spokesperson and other representatives to represent the Association in negotiations with the Board of Education, subject to the approval of the Representative Assembly.
 - 8. Serve as an advisory only, nonvoting member of all committees.
 - 9. Prepare and recommend an Association program and budget for adoption by the Representative Assembly at its September meeting.
 - 10. Annually appoint a Grievance Committee subject to the approval of the Board of Directors.

11. Present at the September Representative Assembly a yearlong calendar of all regular meetings of the Representative Assembly and the Board of Directors.
 12. Perform all other functions usually attributed to this office not in conflict with the Bylaws.
- B. The First Vice-President shall:
1. Assume such duties and responsibilities as delegated by the President.
 2. Assume the duties of the President in case of the absence or incapacity of that officer or in the event that office becomes vacant between elections as provided in Article V, Section 4, Paragraph A, of the Bylaws.
- C. The Second Vice-President shall:
1. Assume such duties and responsibilities as delegated by the President.
- D. The Secretary shall:
1. Keep accurate minutes of all meetings of the Board of Directors, Representative Assembly, and General Membership.
 2. Supervise and coordinate all membership activities of the organization.
 3. Maintain an accurate roll of Association members, Representative Assembly members, and the Board of Directors members, and call the respective roll when requested by the presiding officer.
 4. Act with the President and UniServ Directors as the legal executive officers of the Association.
 5. Perform all other functions usually attributed to this office or as requested by the President not in conflict with the Bylaws.
- E. The Treasurer shall:
1. With the UniServ Directors, be responsible for the safekeeping, expenditures, and reporting of all funds of the Association as authorized by the Board of Directors or Representative Assembly.
 2. Keep accurate financial records according to a system approved by the Board of Directors.
 3. Submit an annual written financial statement of budgeted amounts to the Representative Assembly and the Board of Directors at the end of the fiscal year, August 31.
 4. Report to the Board of Directors any expenditures in excess of any segment of the budget.
 5. Make recommendations to the Board of Directors for short and/or long term investment of Association funds.

6. Perform all other functions usually attributed to this office or as requested by the President not in conflict with the Bylaws.
- F. The Officers shall have such other powers and duties as the Representative Assembly may determine. Such powers and duties shall not be in conflict with the Bylaws.

Section 4 VACANCIES

- A. Whenever the office of President becomes vacant between elections, the First Vice-President shall serve as President and the Second Vice-President shall serve as First Vice-President for the remainder of the unexpired term of office. The Board of Directors may elect one of its members to serve as Second Vice-President pro tempore until the Representative Assembly elects a Second Vice-President to fill the unexpired term.
- B. Whenever the office of 1st Vice-President becomes vacant between elections, the 2nd Vice-President shall serve as 1st Vice-President for the remainder of the unexpired term of office. The Board of Directors may elect one of its members to serve as 2nd Vice-President pro tempore until the Representative Assembly elects a 2nd Vice-President to fill the unexpired term.
- C. Whenever an office other than President or 1st Vice-President becomes vacant between elections, the Board of Directors shall elect one of its members to serve in the vacant office pro tempore until the Representative Assembly elects a person to fill the unexpired portion of the term of the vacant office.

Section 5 RECALL

Whenever two-thirds of the Board of Directors shall agree that an officer has been grossly negligent of his/her duties as defined in the Bylaws or is incapacitated, they shall recommend to the Representative Assembly that the office be declared vacant. Upon a two-thirds vote of the Representative Assembly that office shall be vacant and shall then be filled as provided in Article V, Section 4, of the Bylaws. The recall process may be initiated by a petition of ten percent of active members, any member of the Board of Directors, or a majority vote of the Representative Assembly.

Article VI BOARD OF DIRECTORS

Section 1 COMPOSITION

- A. The Board of Directors shall consist of the Officers, Section Directors, Ethnic Minority Director and the IEA Regional Chair and Vice Chair (if that Chair and/or Vice Chair are Association members).

Section 2 MEETINGS

- A. The Board of Directors shall meet regularly prior to each regular Representative Assembly meeting.

- B. Special meetings of the Board of Directors may be called by the President or by petition of twenty percent of the members of the Board.
- B. Meetings of the Board of Directors shall be open to the members of the Association and to Board invited guests unless the Board, by a majority vote of its entire membership, declares the meeting to be closed.

Section 3 POWERS AND DUTIES

- A. The Board of Directors shall:
 - 1. Declare when an office is vacant between elections and fill the unexpired portion of the term of that office as provided in Article V, Section 4, of the Bylaws. Declare when a Directorship is vacant between elections and fill the unexpired portion of that term as provided in Article VII, Section 4.
 - 2. Approve the appointment or removal of all Association committee chairpersons and members.
 - 3. Approve a system for the keeping of accurate financial records by the Treasurer.
 - 4. Authorize an audit of the Association financial records. The audit shall be conducted in the fall of even numbered years by a Certified Public Accountant with no direct connection to the Association.
 - 5. Approve the agenda of regular Representative Assembly meetings at least one week prior to the meeting.
 - 6. Certify all Association petition signatures.
 - 7. Report its transactions regularly to the Representative Assembly.
 - 8. Present to the Representative Assembly for approval each November a section apportionment plan based as equally as possible on membership, with consideration given to the geographical location of schools and to representation from elementary, middle and high schools and other areas represented.
 - 9. Hire, evaluate, and/or dismiss staff needed to carry out the functions of the Association.
 - 10. Constitute the IEA Regional Council.
 - 11. Have such other powers and duties as the Representative Assembly may determine not in conflict with the Bylaws.
- B. The Board of Directors may:
 - 1. Recommend action to the General Membership, the Representative Assembly, other committees or to other constituent bodies of the Association.
 - 2. Call special meetings of the General Membership, Representative Assembly, Sections, or other constituents of the Association.

3. Request regular reports from committees to the Board of Directors and to the Representative Assembly.
4. Suspend or expel from membership any member who shall have willfully violated a provision of the Association Bylaws or engaged in conduct injurious to the Association or its purpose and reinstate an individual who has previously been suspended or expelled from membership, according to the procedures adopted by the Representative Assembly.
5. Rule on membership eligibility questions.
6. Recommend affiliation with other educational organizations.
7. By a two-thirds vote, recommend to the Representative Assembly that an Officer or Director has been grossly negligent of his/her duties as defined in the Bylaws and that that position should be declared vacant.

Article VII DIRECTORS

Section 1 COMPOSITION

- A. Each Director shall be an active member of the Association.
- B. A Section Director shall be elected in the section and at the level to which he/she is assigned.
- C. The Ethnic Minority Director shall be elected by the Ethnic Minority members of the Association.

Section 2 TERMS

- A. Directors shall be elected for two-year terms. Section Directors of the even numbered sections and Ethnic Minority Director shall be elected in the spring of even numbered years. Section Directors of odd numbered sections shall be elected in the spring of odd numbered years.
- B. Directors shall assume office at the regular meeting of the Board of Directors in June.
- C. A Director may succeed himself/herself in that position.

Section 3 POWERS AND DUTIES

- A. Section Directors shall:
 1. Serve as members of the Board of Directors and the ETA Representative Assembly.
 2. Preside over all Section meetings of Association Representatives or General Membership.
 3. Promote direct communication among Association Representatives and members in his/her section and the Board of Directors.

4. Implement, in cooperation with the members of that school or district-wide department, recall procedures for an Association Representative or Alternate Association Representative.
 5. Assume such other powers and duties as may be determined by the Representative Assembly or Board of Directors. Such powers shall not be in conflict with the Bylaws of the Association.
- B. Ethnic Minority Director shall:
1. Serve as a member of the Board of Directors and the ETA Representative Assembly.
 2. Promote direct communication among the ethnic minority members and the Board of Directors.
 3. Be a delegate to the IEA Representative Assembly during his/her term in office.
 4. Assume such other powers and duties as may be determined by the Representative Assembly or Board of Directors. Such powers shall not be in conflict with the Bylaws of the Association.

Section 4 VACANCIES

- A. Whenever a Section Director position becomes vacant between elections, the Association Representatives of that Section shall elect an eligible person to fill the unexpired portion of the term of that vacant position. Directors elected to fill unexpired terms shall assume office immediately upon election.
- B. Whenever the Ethnic Minority Director position becomes vacant between elections, there shall be a special election to fill the unexpired portion of the term of the vacant position.

Section 5 RECALL

Whenever two-thirds of the Board of Directors shall agree that a Director has been grossly negligent of his/her duties as defined in the Bylaws or is incapacitated, they shall recommend to the Representative Assembly that the position be declared vacant. Upon a two-thirds vote of the Representative Assembly that position shall be vacant and shall then be filled as provided in Article VII, Section 4, of the Bylaws. The recall process for Section Directors may be initiated by a petition of twenty percent of that Section Director's constituency or any member of the Board of Directors. The recall process for the Ethnic Minority Director may be initiated by a petition of twenty-five active members of the Ethnic Minority Director's constituency or any member of the Board of Directors.

Article VIII

REPRESENTATIVE ASSEMBLY

Section 1 COMPOSITION

The Representative Assembly shall consist of all Association Representatives and the Board of Directors.

Section 2 MEETINGS

- A. The Representative Assembly shall meet in regular session monthly, September through May, excluding December. In the event that school is closed for any type of emergency on the day of a scheduled Representative Assembly meeting, the Representative Assembly meeting shall be rescheduled.
- B. Special meetings of the Representative Assembly may be called by the President, the Board of Directors, or by petition of twenty percent of the members of the Representative Assembly.
- C. Meetings of the Representative Assembly shall be open to all Association members.

Section 3 POWERS AND DUTIES

- A. The Representative Assembly shall:
 - 1. Hear and act upon reports from Officers, Board of Directors, and committees of the Association.
 - 2. Receive and act upon petitions and election disputes not satisfactorily resolved by the Elections Committee.
 - 3. Enact an annual budget for the Association at the regular September meeting.
 - 4. Approve a section apportionment plan each year.
 - 5. Elect a person to fill vacant offices as provided in the Bylaws.
 - 6. Adopt procedures and policies for the management of the Association.
 - 7. Set the annual dues for Active and Honorary membership in the Association and determine the rights and responsibilities of Active and Honorary members.
 - 8. Adopt procedures for the discipline of members.
 - 9. Elect a Contract Improvement Committee.
 - 10. Approve the President's appointments of the spokesperson and other representatives to represent the Association in negotiations with the Board of Education.
 - 11. Receive and act upon any written contract agreement prior to presentation of said tentative agreement to the general membership.

12. Have all the other powers and duties necessary to the achievement of the purposes of the Association which are not specifically delegated to other official bodies by or prohibited by the Bylaws.
- B. The Representative Assembly may:
1. Refer action to the General Membership.
 2. By a two-thirds vote and upon recommendation of the Board of Directors, declare the position of an Officer, Director, or Association Representative vacant whenever that individual has been grossly negligent of his/her duties as defined in the Bylaws.

Article IX

ASSOCIATION REPRESENTATIVES

Section 1 COMPOSITION

- A. Each Association Representative must be an active member of the Association.
- B. An Association Representative shall be elected in the school or district-wide department in which he/she is assigned.

Section 2 TERM

- A. In each school or district-wide department, there shall be one Association Representative elected for every ten members or major portion thereof. There shall be at least one Association Representative from each school or district-wide department. Elections shall be by secret ballot and held during April or May. All Association Representatives shall assume their position at the regularly scheduled Representative Assembly in May.
- B. The Association Representative may succeed himself/herself in that position.
- C. Each school or district-wide department may elect one alternate for every Association Representative. The alternate shall serve the same term as the Association Representative.
- D. In each school where there are two or more Association Representatives, the Association Representatives shall elect one of their number as the Head Representative.

Section 3 POWERS AND DUTIES

- A. Association Representatives shall:
 1. Attend all regular and special meetings of the Representative Assembly and notify the alternate Association Representative when he/she cannot attend.

2. Conduct himself/herself as a teacher advocate according to the policies and the best interests of the Association, and represent the Association in his/her constituency.
3. Assist in enrolling members in the Association.
4. Provide information about the Association to the members.
5. Communicate suggestions and recommendations from his/her constituents to the respective Association constituent body.
6. Promptly distribute all materials from the Association.
7. Orient new Association members to Association services and activities.
8. Provide a channel through which Association services may be obtained by members.
9. Be familiar with all aspects of ***The Elgin Agreement***.
10. Handle grievances in his/her constituency in accordance with the provisions in ***The Elgin Agreement***.
11. Call meetings, when necessary, of members in his/her school or department to conduct Association business.
12. Assume such other powers and duties as may be determined by the Representative Assembly or Board of Directors not in conflict with the Bylaws.

Section 4 VACANCIES

Whenever an Association Representative position becomes vacant, the constituent Association members shall elect an eligible member to fill the unexpired portion of that term.

Section 5 RECALL

- A. Whenever two-thirds of his/her constituency shall agree that an Association Representative or Alternate Association Representative has been grossly negligent of his/her duties as defined in the Bylaws or is incapacitated, that position shall be declared vacant. The position shall be filled as provided in Article IX, Section 4, of the Bylaws.
- B. Such recall procedures shall be implemented by that constituency's Section Director, in cooperation with the members of that school or district-wide department.

Article X GENERAL MEMBERSHIP MEETINGS

- Section 1** General Membership meetings may be called by the President, the Board of Directors, the Representative Assembly, or by written request of ten percent of the membership.
- Section 2** Notice of a General Membership meeting, including the purpose, date, time and place shall be given to the members not later than forty-eight hours prior to the meeting except in an emergency determined by the Board of Directors.

Article XI QUORUM

- Section 1** A majority of the regular members of any appointed or elected body of the Association shall constitute a quorum for the transaction of business of that body.
- Section 2** The members present shall constitute a quorum at all General Membership meetings.
- Section 3** Representation from a majority of sites, which have elected Association Representatives, shall constitute a quorum for the transaction of business of the Representative Assembly.
- A. A majority of the regular members of the Association Board of Directors/Region Council shall constitute a quorum for the transaction of business of that body.

Article XII PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised shall be the authority governing all matters of procedure not otherwise provided for in the Bylaws.

Article XIII AFFILIATION

The Association shall affiliate with the Illinois Education Association under its rules and the National Education Association under its rules.

Article XIV AMENDING PROCEDURES

- Section 1** Amendments to these Bylaws may be proposed at any regular Representative Assembly meeting by any member of the Assembly or by petition of ten Association members.

- Section 2** Proposed amendments to these Bylaws shall be received in writing by Representative Assembly members at least fourteen school days prior to the meeting at which time action will be taken on the amendments.
- Section 3** An affirmative vote by 2/3 of the Representative Assembly members voting shall be required for the amendment to be considered for adoption by the Association membership.
- Section 4** An amendment proposed and approved for final consideration shall be published and distributed to Association members at least ten school days prior to the balloting on the amendment. Such balloting shall occur not later than thirty school days after approval by the Representative Assembly. Voting shall be conducted by secret ballot at the sites.
- Section 5** An affirmative vote of two-thirds of those members voting shall be required to amend these Bylaws.
- Section 6** Unless otherwise specified in the motion to amend these Bylaws, any amendment shall become effective immediately following its adoption.