



The Constitution & By-Laws

*The Teachers' Association of
Washington Local Schools*

REVISED & UPDATED 2012

THE CONSTITUTION OF THE TEACHERS' ASSOCIATION OF WASHINGTON LOCAL SCHOOLS

ARTICLE I - NAME OF THE ORGANIZATION

Section A The name of the organization shall be the Teacher's Association of Washington Local Schools (TAWLS).

Section B The Association shall be affiliated with the National Education Association (NEA), the Ohio Education Association (OEA), and the Northwest Ohio Education Association (NWOEA).

ARTICLE II - PURPOSE

Section A

1. The purpose of this Association shall be to develop a high degree of professional excellence and unity among the members of this Association
2. To continue to work tirelessly for sound educational policies in the best interest of the students in our charge
3. To instill an allegiance to the Code of Ethics of our Profession
4. To create in the community the image of the teacher as a true professional
5. To cooperate with the National Education Association, The Ohio Education Association, and the Northwest Education Association in promotion and advancing the cause of education.

ARTICLE III - MEMBERSHIP

Section A Active membership in the Association shall be open to (all certified) persons employed in Washington Local Schools who agree to adhere to the goals and objectives of the Ohio Education Association and who maintain a membership in NWOEA, OEA and NEA if eligible. Such persons may become members upon payment of the annual dues as provided in the By-Laws.

Section B All members shall abide by the Code of Ethics of the Education Profession.

Section C The membership year of the Association shall be September 1 (from the start of the school year) to August 31.

ARTICLE IV - OFFICERS AND COMMITTEE CHAIRPERSONS

Section A The officers of this Association shall be a President, Vice-President/Negotiations, Vice-President/Policy/Grievances, Recording Secretary, Corresponding Secretary, and Treasurer.

Section B All officers shall hold office for a two-year term. The President, Vice President/Negotiations, and the Corresponding Secretary shall be elected in alternating years with the Vice President/Policy/Grievances, the Recording Secretary, and the Treasurer.

Section C All committee chairpersons shall be appointed by the President subject to the approval of the Executive Committee.

Section D If a vacancy occurs in the office of President, for purposes of appointing the Interim President, a special meeting of the Executive Committee shall be called by any two of the remaining officers. This Executive Committee shall appoint immediately an Interim President who shall assume all the duties and responsibilities of President until such time as a special general election can be held to elect a new President. This election shall be held no later than two months from the time of the interim appointment.

Section E If a vacancy occurs in any office other than the office of President, the President shall declare the office vacant and the Executive Committee shall elect a person to the office to serve the remaining portion of the term.

ARTICLE V - EXECUTIVE COMMITTEE

Section A

1. The Executive Committee shall be composed of the officers, representatives from each of the schools in the district, and past presidents.
2. The Executive Committee shall interpret the Constitution and By-Laws.
3. The Building Representatives shall be elected for a term of two years by the Association members of the building they are to represent. When possible, half of the Building Representatives should be elected on alternate years.
4. Each school shall be entitled to two (2) representatives for the first twenty (20) members or fraction thereof, assigned to the building, certified within the bargaining unit, and one additional representative for every twenty (20) or fraction thereof, thereafter.
5. Ethnic minority representation shall be guaranteed at least proportional to the Association ethnic minority membership as prescribed in the By-Laws.

Section B

Duties of the Building Representatives:

1. To attend all Executive Committee meetings.
2. To make available and distribute to all members of the bargaining unit all communications of the Association.
3. To aid the members in their respective buildings in processing grievances.
4. To carry out other duties and responsibilities consistent with the provisions of this Constitution and the Master Contract.

Section C

It is the policy of this Association to take all legally permissible steps to achieve governance and delegate representation of ethnic minority at least proportionate to the ethnic minority membership in the Association.

Section D

A vacancy on the Executive Committee due to death, incapacity, termination, resignation, retirement or recall, shall be filled for the remainder of the term by majority vote occurring in each building where a vacancy exists.

Section E

No business or financial transaction involving a member of the Executive Committee or agent of the Association, or their spouse, children, or parents, or otherwise as described in this Section, shall conflict with the fiduciary responsibility of such person to the Association. Such relationships with the members of the Executive Committee/Board of Directors include relationships with any person that would reasonably be expected to affect the person's judgment with respect to the transaction or conduct in question in a manner adverse to the Association.

ARTICLE VI - ELECTIONS

Section A The President shall appoint an Elections Committee whose duty it shall be to present a slate of officers for each office. Candidates for office may also be submitted by a petition signed by at least fifteen (15) active members or by nomination from the floor or personal nomination.

Section B No member shall be nominated for office without the knowledge and consent of the individual.

Section C The President shall appoint an Elections Committee whose duty it shall be to conduct elections in accordance with the OEA Elections Manual and to resolve all challenges or protests to an election. No nominee for office shall serve concurrently on the Elections Committee.

Section D Elections of officers and Executive Committee members shall be conducted by secret ballot in each building during one school day designated by the Elections Committee.

Section E The Elections Committee shall report the results of the election to the total membership within five (5) calendar days following the election.

Section F

All ballots (marked, unmarked, and voided) and all other records pertaining to the election of officers of this Association and OEA and NEA delegates and alternates shall be preserved for one year from the date the election was held; and such ballots and other records shall be made available to OEA officers upon request for inspection and examination.

Section G

Non-members of the Association, including fee payers, shall not have the right to vote, hold office, or otherwise have privilege of Association membership.

Section H

In the event that a tie occurs in any election for officer, each current TAWLS officer will cast a vote to break the tie.

ARTICLE VII - ELECTION PROCEDURES

Section 1

Nominations for all officers shall be accomplished in the following manner:

1. A written declaration of intent by the candidate shall be sent to the Election Committee Chairperson no later than the last Wednesday in March.
2. The members of the Election Committee will diligently seek candidates for any office not having at least two candidates.
3. An elections report with at least one candidate for each office, will be made at the General Assembly meeting to be held seven (7) days prior to the election.
4. Nominations may be made from the floor at this General Assembly meeting.
5. Nominations for all offices will be closed during this General Assembly meeting.
6. At this meeting, each candidate may speak a maximum of three (3) minutes.

Section 2

The regular election will take place by secret ballot on the last Wednesday in April, in each building. All ballots, marked, unmarked, and voided, and all other records pertaining to the election of officers of this Association and OEA and NEA delegates and alternates shall be preserved for one year from the date the election was

held and such ballots and other records shall be available to OEA upon request for inspection and examination.

Section 3 Officers shall be declared elected by the Election Committee by the plurality rule.

Section 4 All newly elected officers shall assume their office and duties upon taking the oath of office at the Annual Banquet or in the absence of an Annual Banquet, on the third Wednesday in May.

Section 5 The election of Building Representatives shall take place by secret ballot the first Monday in May and the successful candidates shall assume their duties immediately. When possible, half of the Building Representatives should be elected every other year.

ARTICLE VIII - IMPEACHMENT OF OFFICERS AND EXECUTIVE COMMITTEE

Section A Officers of the Association may be impeached for violation of the Code of Ethics of the Education Profession or for misfeasance, malfeasance, or nonfeasance in office.

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

Section C If, after a due-process hearing, a two-thirds (2/3) vote of the Executive Committee sustains the charge, the office shall become vacant.

Section D The officer may appeal the decision to a special meeting of the general membership.

Section E The officers shall notify the members of the building involved, instructing them to hold a special Building Representative election. The person so elected will serve the remainder of the vacant term.

ARTICLE IX - COMMITTEES

Section A

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

Section B

1. All committees shall be created by the President upon the approval of the Executive Committee.
2. Ad Hoc (temporary) committees may be formed as necessary to achieve the Association's program.

ARTICLE X - DUES

Section A

The local association shall have a dues structure adequate to fund an active program.

ARTICLE XI - AMENDMENTS

Section 1

All amendments may be proposed by a two-thirds (2/3) vote of the Executive Committee or by petition stating the proposed amendment and bearing the valid signatures of twenty-five (25) percent of the total association membership, with not more than sixty (60) percent of the signatures from any one building.

Section 2

Provided that the amendments have been introduced at a preceding Executive Committee meeting and that copies of proposed amendments are distributed to all members for discussion, any proposed amendment must be read in two subsequent Executive Committee meetings prior to voting.

Section 3

A copy of the proposed amendment together with the voting date shall be given to each of the members of the Association a week prior to the voting.

Section 4

Adoption of a proposed amendment must be with the affirmative vote of sixty (60) percent of the votes cast.

Section 5

Voting on proposed amendments shall be by secret ballot

BY-LAWS 1: Meetings

Section 1-1 The Executive Committee shall meet monthly or at the call of the President.

Section 1-2 The general membership meetings shall be held at least twice per year, e.g. one in spring and one in the fall. Additional meetings may be called by the President, a majority vote of the Board of Directors/Executive Committee, or a petition to the President signed by at least ten (10) percent of the active membership. Such petitions shall state the purpose of the desired meeting and the business of that meeting shall be limited to consideration of the stated purpose.

Section 1-3 There shall be one monthly meeting of TAWLS members in each building to be presided over by one of the Representatives. This meeting may be a part of the regular monthly faculty meeting.

BY-LAWS 2: Quorum

Section 2-1. The quorum for the Executive Committee meetings shall be one more than fifty (50) percent.

Section 2-2. The quorum for a general meeting shall be the membership present.

BY-LAWS 3: Duties of Officers

Section 3-1 **President:**
A. The duties of the President shall be to represent the Association as spokesperson on matters of policy or at his/her discretion, assign responsibility for such representation; to preside at all meetings of the General Assembly and the Executive Committee; to meet at least once a month with the other officers, in addition to the Executive Committee meetings, to discuss matters of Association concern; participate with the Treasurer in the preparation of the budget; appoint committee chairpersons; create new

committees upon approval of the Executive Committee; serve as a delegate to the representative assemblies of the Ohio Education Association and the Northwest Education Association, and to serve as a member ex-officio of all committees.

Section 3-2 **Vice-President for Grievances:**

A. The duties of the Vice-President for Grievances shall be to act as advisor to the President, preside at Association meetings in the absence of the President; serve as chairperson of the Internal Grievance Appeal Committee; serve as a member of the Policy Committee; serve as liaison to Association committees as determined by the officers; attend Executive Committee meetings General Assembly meetings, and Officer meetings; and perform any other duties assigned by the President or the Executive Committee.

Section 3-3 **Vice-President for Negotiations:**

A. The duties of the Vice-President Negotiations shall be to act as advisor to the President, serve as a member of the Negotiations Committee; serve as liaison to Association committees as determined by the officers; attend Executive Committee meetings, General Assembly meetings and Officer meetings; and perform any other duties assigned by the President or the Executive Committee.

Section 3-4 **Recording Secretary:**

A. The duties of the Recording Secretary shall be to keep a record of the proceedings of all meetings of the Executive Committee and the General Assembly and to distribute copies to all members of the bargaining unit; to maintain an up-to-date listing of all committee guidelines and Executive Committee policies; serve as liaison to Association committees as determined by the officers; attend Executive Committee meetings, General Assembly meetings and Officer meetings; and perform any other duties assigned by the President or the Executive Committee.

Section 3-5 **Corresponding Secretary:**

A. The duties of the Corresponding Secretary shall be to assist with all official Association correspondence and

communications; serve as liaison to the Association committees as determined by the officers; attend Executive Committee meetings, General Assembly meetings and Officer meetings; and perform any other duties assigned by the President or the Executive Committee.

Section 3-6 Treasurer:

A. The duties of the Treasurer shall be to serve as the custodian of the Association funds and make collections and payments as directed by the President or Executive Committee; participate with the President in preparing the budget; furnish a report of the Association's financial condition at each monthly Executive Committee meeting and at the meetings of the General Assembly or by request of the President; arrange for a yearly audit of the Association's books; serve as liaison to Association committees as determined by the officers; attend Executive Committee meetings, General Assembly meetings and Officer meeting; and perform any other duties assigned by the President or the Executive Committee.

Section 3-7 Association/Building Representatives:

A. It shall be the duty of each Association Representative to attend all Executive Committee meetings; to make available and distribute to all members of the bargaining unit all communications of the Association; to aid the members in the respective buildings in processing grievances; and to carry out other duties and responsibilities consistent with the provisions of this Constitution and the Master Contract.

**BY-LAWS 4:
Committees**

Section 4-1 There shall be the following committees:

Negotiations - assess membership concerns prior to bargaining, develop initial proposals of the Association, and provide additional advice and input, upon the request of the bargaining team, during active negotiations.

Elections - charged with the responsibility to protect the integrity of an election or vote and ensure that an election is conducted in accordance with the guidelines set forth in the OEA Election Manual and with local, state, and national constitutions.

Grievance - maintenance of, and membership advocacy in, grievance procedure.

Professional Development - pre-service, continuing, and in-service educational opportunities.

Human Relations/Publicity - promotion of understanding, unity, and communication among all groups in the school and school district communities.

Communications - membership newsletter, press releases, public relations.

Legislative - candidate endorsement/campaigning, EPAC fund collections, levy/bond campaigning, seek membership involvement in relevant local, state, and national political affairs.

Budget - prepares a budget giving estimates of income and expenditures (including a separate estimate for each committee) for the future fiscal year.

Audit - checks accuracy of accounting procedures.

Membership - maintains membership rolls, conducts and/or assists with membership drives, works in conjunction with the treasurer.

Constitution and Bylaws - reviews and submits to OEA the local's C&B when amended or every five years.

New Teacher Committee - to welcome, inform, and encourage new teachers throughout the school year.

Section 4-2 Necessary sub-committees may be appointed, as needed, by the committee chairperson.

BY-LAW 5:

Bargaining and Contract Ratification

- Section 5-1** The Association shall be represented in collective bargaining by an authorized team of Association Representatives appointed by the President and Board of Directors/Executive Committee.
- A. If the President is not an active member of the bargaining team, the President will be an ex-officio member of the Association bargaining team.
 - B. Members of the bargaining team need not necessarily be from the negotiations committee.
 - C. Necessary sub-committees may be appointed, as needed, by the committee chairperson.
 - D. The bargaining team shall have the authority to bargain in good faith; make proposals, counterproposals, and concessions; and make tentative agreement on a contract with representatives of the Board of Education.
 - E. While negotiations are in progress, periodic reports to members may be made by the bargaining team.
- Section 5-2** In preparation for bargaining, the negotiations committee shall make reports and recommendations to the Executive Committee.
- Section 5-3** The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).
- Section 5-4** The OEA/NEA UniServ Consultant shall be the Association's designated bargaining representative.
- Section 5-5** Written copies of the tentative agreement summary should be given to the general membership 5 days prior to General Assembly.
- Section 5-6** Conduct all ratifications of collective bargaining agreements in accordance with the guidelines for ratification of collective bargaining agreements and fact finder reports as set forth in the OEA Elections Manual.

- Section 5-7** A vote on a tentative agreement to the contract or on a fact-finding report shall be made by written ballot in each building two days following the General Assembly.
- A. No absentee or proxy votes will be allowed on contract ratification votes or fact-finding reports.
 - B. The first vote on contract ratification or a fact-finding report will be to accept or reject the contract/report as presented.
 - C. All ballots used in a vote regarding a contract ratification or fact-finding report, after tabulation, will be sealed and retained by the Association Treasurer for three (3) years or duration of contract, whichever is greater.
 - D. The President will communicate required details of the ratification vote to the employer's designated representative.

Section 5-8 The designated representative for the Association is authorized to give timely notice of intent to strike to the Board of Education and SERB upon approval of the membership and in keeping with provisions of ORC 4117.14(D)(2).

Section 5-9 Non-members of the Association are not eligible to vote on a fact finder's report or contract ratification.

BY-LAW 6: Dues

Section 6-1 The dues rate for the succeeding year shall be determined by the April meeting of the Board of Directors/Executive Committee.

Section 6-2 Every member shall also pay the dues required by the district, state, and national associations with which this local is affiliated.

Section 6-3 The association shall annually enter into a Dues Transmittal Agreement with the Ohio Education Association.

Section 6-4 The dues for an active full-time member shall not exceed .25% of the base teaching salary, rounded off to the nearest whole dollar, as of September 1 of each membership year. Base teaching salary is defined as the salary for a teacher with a Bachelor's Degree and zero years of experience.

Section 6-5 Dues for active members who contract to teach one semester or less or who contract to teach half-time or less and are not paid full-time salaries shall be one-half the dues of an active full-time member, rounded off to the nearest whole dollar.

BY-LAW 7: Membership Year

Section 7-1 The membership year of the Association shall be September 1 to August 31.

BY-LAW 8: Expulsion of Members

Section 8-1 According to procedures adopted by the Association, the Executive Committee may censure, suspend from membership, or expel any member for one or more of the following reasons:

- A. Violation of the Code of Ethics of the Education Profession.
- B. Conviction of a felony.
- C. Actively engaging in, or actively supporting activities directed against the constitutional purposes of the Association to bring about changes in the Association by means other than those that are consistent with the Association's Constitution.

Section 8-2 The Board of Directors/Executive Committee may reinstate members previously suspended or expelled.

Section A In addition to the grounds for member discipline stated above, the Executive Committee may impose a monetary fine against any member, in an amount not to exceed \$150.00 for each violation, for failure to honor a picket line in any strike which is a sanctioned strike under the

policies of the Ohio Education Association. For the purpose of member discipline under this Section, no member shall be allowed to resign or withdraw from Association membership from the time that the Association receives notification from the Ohio Education Association that the contemplated strike is a sanctioned strike until the time that the strike is terminated by the Association or court order.

BY-LAW 9: Due Process

Section 9-1 The Association guarantees that no member may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate appellate procedure.

The Association guarantees that no member may be fined, censured, suspended or expelled without prior written notice specifying the grounds for such discipline and a full and fair due process hearing in which the member has the right to appear before the Executive Committee prior to final action to present evidence on his/her behalf, to confront and cross-examine any accuser and any other witnesses against him/her, to examine and refute all evidence considered by the Executive Committee, whether or not such evidence is presented at the hearing, and to be accompanied and represented by legal counsel. The member shall be notified in writing of the final action taken by the Executive Committee which shall include a summary of the evidence considered and the discipline to be imposed.

BY-LAW 10: Authority - Parliamentary Procedure

Section 10-1 Robert's Rules of Order, Newly Revised shall be the authority governing all matters of procedure not otherwise provided in this constitution, bylaws, or standing rules.

BY-LAW 11:

Amendments

Section 11-1 Amendments, alterations, additions, or deletions to these Bylaws shall be made by a majority vote of the total active membership of the Association.

Section 11-2 Changes shall be proposed upon the initiative of the Constitution Committee or upon presentation to the Executive Committee of a petition signed by twenty (20) percent of the current active membership. All proposed changes shall be submitted in writing to all active members at least ten (10) days prior to action.

An amendment may be proposed by a two-thirds vote of the Executive Committee members present or by petition stating the proposed amendment and bearing the valid signatures of twenty-five (25) percent of the total Association membership with not more than sixty (60) percent of the signatures from any one building.

Any proposed amendment must be read in at least two of the Executive Committee meetings prior to the voting

Section 11-3 A copy of the proposed amendment together with the voting date shall be given to each of the members of the Association, a week prior to the voting.

Section 11-4 Adoption of a proposed amendment must be with the affirmative vote of fifty (50) percent of the votes cast.

Section 11-5 Voting on proposed amendments shall be by secret ballot in each building.

BY-LAW 12: Dissolution of Associations

Section 12-1 A petition for dissolution of the Association may be presented in writing to a meeting of the general membership by any member in good standing and must contain the signature of three-fourths (3/4) of the total membership of the Association.

- Section 12-2** Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next general membership meeting.
- Section 12-3** The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.
- Section 12-4** The effective date of dissolution shall be thirty (30) days from the date of the vote, thus allowing for the disposal of assets and liabilities.
- Section 12-5** In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to the Employee Memorial Scholarship Fund provided that it is an entity recognized as exempt from Federal taxation. In the event that Employee Memorial Scholarship Fund is not then recognized as tax exempt, such assets shall then pass to Athletic Club provided that is recognized as exempt from Federal taxation.

**BY-LAW 13:
Enabling Provision**

- Section 13-1** This Constitution and these Bylaws shall become effective September 1, 2012, following their adoption, and shall remain in effect until amended according to regulations herein provided.