**CONSTITUTION OF THE KENTON COUNTY EDUCATION ASSOCIATION**

***PREAMBLE***

The purpose of the Kenton County Education Association shall be to form a closer union of all members of the teaching profession in Kentucky, serve as the voice of education and educators in Kenton County, advance the ideals and standards of the teaching profession, promote the educational welfare of the children, gain recognition of the importance of the teacher and the student in the learning process, protect the rights of educators and advance their interests and welfare, unite educators for effective citizenship, promote and protect human and civil rights, and obtain for its members the benefits of an independent, united teacher profession.

**ARTICLE I. NAME, PURPOSES, AND AUTHORITIES FOR GOVERNANCE**

***Section 1.*** Name

The name of this organization shall be the Kenton County Education Association, an affiliate of the Kentucky Education Association and the National Education Association. The Kenton County Education Association operates as a 501(c)(5) organization.

***Section 2.*** Purposes

1. To represent the members in their relations with the Kenton County School District.
2. To promote and protect the rights and welfare of the members.
3. To promote the rights and welfare of all students, the advancement of the education profession and the continuous improvement of instructional opportunities for all.
4. To develop and promote the professional interests and concerns of the members.
5. To promote professional attitudes and ethical conduct among educators.
6. To create in the community a more comprehensive understanding of the teaching profession and recognition of the role and image of the educator.
7. To help secure adequate financial support for public education.
8. To encourage teachers to exercise their rights and privileges as citizens and to provide leadership in civil affairs.
9. To improve the structure of the Association in order to ensure the full and effective participation of members, thereby establishing and maintaining an independent, self-governing organization.
10. To hold property and funds for the attainment of Association purposes.

***Section 3.*** Governance   
The Association shall be governed by this Constitution, By-Laws, and any Standing Rules or other actions approved by the Kentucky Representative Assembly, or any policies or other actions approved by the Kenton County Education Association Board of Directors not inconsistent with the Constitution, By-Laws, or any Standing Rules or other actions approved by the Kentucky Representative Assembly.

**ARTICLE II. MEMBERSHIP**

***Section 1.*** Active Membership

Active membership in the Association shall be available to all professional personnel certified as members of the Association bargaining unit who are actively engaged in teaching, supervision, or the administration of schools in the Kenton County School District or who are actively engaged in teaching, supervision, or the administration of schools in any K-12 public education facility that exists within the geographic boundaries of the Kenton County School District or that serves the students of the Kenton County School District. Members shall be categorized as either supervisor or nonsupervisory. Any member who has continuing authority to hire, transfer, discipline, dismiss, or otherwise direct employees or recommend any of the aforementioned actions shall be categorized as a supervisor.

***Section 2.*** Rights and Limitations of Membership

The Association shall not deny membership to any employed teacher or supervisor eligible for membership in the Association. The Association shall not deny membership to individuals on the basis of race, color, national origin, creed, gender, sexual orientation, age, handicap, marital status or economic status.

An active member has the following rights and limitations:

1. Active members shall have the right to vote and hold elective office or appointive position except as otherwise provided.
2. Active members shall be eligible to receive all services provided by the Association.
3. Active members shall be eligible to receive special services, to obtain assistance in the protection of professional, contractual, and civil rights, and to receive publications of the Association.

***Section 3.*** Membership Year

The membership year shall be September 1 to August 31.

***Section 4.*** Obligations of Membership

1. Active members shall adhere to the NEA[Code of Ethics of the Education Profession](http://www.nea.org/home/30442.htm)***.***~~.~~
2. Active members shall support the stated purposes and objectives of the Association.
3. Active members shall hold appropriate memberships in the Kentucky Education Association (KEA) and the National Education Association (NEA).

***Section 5.*** Continuation of Membership

1. Active membership shall be continuous until the member leaves the school system, resigns from the Association within the time frame set forth in the contract, or fails to pay membership dues.
2. The Board of Directors shall have the authority to censure, suspend, or expel members for violations of Article II, Section 4. Charged members shall have the right to a due process hearing by the Board of Directors and the right to appeal to the General Membership, which shall also afford a due process hearing.

***Section 6.*** Property Interest of Members

All rights, titles, and interest, both legal and equitable, or a member in and to the property of the Association shall end upon the termination of membership in the Association.

**ARTICLE III. OFFICERS AND BOARD OF DIRECTORS AND DELEGATES**

***Section 1.*** Officers

The officers of the Association shall consist of a President, a First Vice-President, a Second Vice-President, a Secretary, and a Treasurer elected by the membership at large.

***Section 2.*** Board of Directors

The Board of Directors, consisting of the above-named officers, building representatives, and immediate Past President, shall function as the executive authority of the Association. The Board of Directors shall be responsible for managing the affairs of the Association, approving budgeted expenditures, carrying out the adopted policies of the Association and acting for the Association between meetings of the General Membership.

The Board of Directors shall have the authority to create additional director positions as needed to provide at least proportional representation of ethnic-minorities or proportional representation of classroom teachers and administrators.

Building representatives shall be elected positions. In the event that only one interested person chooses to run for building representative, that position shall be fulfilled by acclamation.

The Executive Committee shall be comprised of the elected officers of the Association and immediate Past President.

***Section 3.*** Board of Director Meetings

The Board of Directors will meet at least monthly during the school year. Two-thirds ***(***2/3***)*** representation of the schools in the district plus one shall constitute a quorum. Meeting dates will be set at the beginning of the year by the President. In the event of district-wide school closing, illness, inclement weather or other unforeseen circumstances, the President may choose to cancel and/or reschedule a meeting for another date.

***Section 4.*** Terms of Office

1. The terms of office of all officers shall be two years, from July 1 to June 30.
2. If a vacancy occurs in the office of President, the First Vice-President shall immediately assume the duties of President. A vacancy occurring in any other office may be filled by appointment of the President until an election can be held to fill the vacant office. Nominations shall be taken for 20 working days and then an election shall be conducted to fill the vacancy.
3. In the event that only one person runs for a vacant office, the office shall be filled by acclamation.

***Section 5.*** Impeachment

Officers of the Association may be impeached for violation of the NEA [Code of Ethics of the Education Profession](http://www.nea.org/home/30442.htm) for misfeasance, for malfeasance, or for nonfeasance in office.

1. Impeachment proceedings against an officer may be initiated by serving the officer with detailed, written notice of the allegations against him/her. A copy of the written notice shall be provided to each member of the Board of Directors.
2. If, after a due process hearing, a two-thirds (2/3) vote of the Board of Directors shall sustain the charge, the office shall become vacant.
3. The officer may appeal the decision of the Board of Directors to a special meeting of the General Membership, which shall also afford due process.

***Section 6.*** General Nomination and Election of Officers

Any active member shall have the right to make nominations or to be nominated. Nominations shall take place after the March Board of Directors meeting and will be open for 20 working days. Nominations shall be declared closed after 20 days.

The election of officers shall occur in April. Election shall be by secret ballot and shall require a majority of all valid votes cast. All elections of officers shall adhere to the one-person, one-vote standard by secret ballot following open nominations. After nominations for offices have been closed, and if only one person has been nominated for a position, the individual(s) shall be elected by acclamation.

Elected officers shall assume office on July 1.

***Section 7.*** Elections and Referendum Voting

1. Action via Electronic Communications – Electronic Voting

Action may be taken by the Board of Directors via telephone conferencing, email, fax, or other forms of telecommunication technology (Skype, etc.). There must be a concurrence of a majority of the members of the Board of Directors and such action shall be noted and then reported in the minutes of the next meeting.

1. All elections shall adhere to the one-person, one-vote standard, by secret ballot following open nominations. Nominations may be received and ballots may be prepared and sent electronically. The voting process may use electronic equipment or methods available to the school district or to the Association. A majority of all valid votes cast is required for election or referendum, unless otherwise provided for in this Constitution, regardless of whether using paper ballots or voting electronically.
2. Election of all Officers and Delegates shall be in accordance with this Constitution.

1. NKEA/KEA Delegates and Alternates

The election of NKEA and KEA Delegates and Alternates shall be held before the KEA fall due date. Nominations shall be declared open by the President at the September Board of Directors meeting for 20 working days and members shall be notified of the correct procedure to use in making nominations. Any active member shall have the right to make nominations or to be nominated. Nominations shall be declared closed after 20 working days.

Election shall be by secret ballot and shall require a majority of all valid votes cast. In the event that only one person or the exact number of persons expresses interest in the position of NKEA and KEA Delegates and Alternates, that person or persons shall be elected by acclamation by the General Membership.

2. NEA Delegates and Alternates

Election of NEA Delegates shall be held before the winter NEA due date. Nominations shall be declared open by the President and shall remain open for 20 working days and members shall be notified of the correct procedure to use in making nominations. Any active member shall have the right to make nominations or to be nominated. Nominations shall be declared closed after 20 working days.

Election shall be by secret ballot and shall require a majority of all valid votes cast. In the event that only one person or the exact number of persons expresses interest in the position of NEA Delegates and Alternates, that person or persons shall be elected by acclamation by the General Membership.

3. Officers

The election of Association officers shall be held in accordance with Constitution Article III, Section 6.

***Section 8.*** Election Appeals

1. Any voting member may appeal an election to the Board of Directors.  The appeal must be in writing, signed by the individual(s) making the appeal, and presented to the President within (10) working days after announcement of the election results.
2. Within ten (10) working days of receiving the appeal, the Board of Directors shall meet to hear the appeal, make a decision, and inform all parties.
3. Any voting member may appeal the decision of the Board of Directors to the Northern Kentucky Education Association within ten (10) working days after the decision of the Board of Directors.
4. The person(s) holding the office before the election shall remain in that position until the appeal has been resolved.

***Section 9.*** Ethnic-Minority Representation

The Association shall take all reasonable and legally permissible steps to achieve on its elective and appointive bodies ethnic-minority representation that is at least proportionate to the ethnic-minority membership of the Association. In the event an elective or appointive body has fewer ethnic-minority members than is proportional to the percentage of ethnic-minority membership, the Board of Directors shall create the necessary additional office(s)/seat(s) and the Nomination Committee shall call for the nominations of ethnic-minority members.  All members shall have the right to offer such nominations.  The General Membership, at its next regularly scheduled meeting, shall elect officer(s)/seat(s) by secret ballot.

***Section 10.*** Proportional Representation by Educational Position

The Board of Directors shall be composed of the same proportion of classroom teachers and administrators as exist within the membership.  In the event that the Board of Directors does not reflect that proportionality, the Board shall create sufficient new offices to achieve proportionality.  All members shall have the right to offer eligible nominations for the new office(s) and the membership, at its next regularly scheduled meeting, shall vote by secret ballot for the new officers.

**ARTICLE IV. DUTIES OF OFFICERS**

***Section 1.*** President

1. Preside over all Association meetings and prepare their agendas.
2. The President shall determine the time and place of General Membership, Board, and Executive Committee meetings.
3. Represent the Association on all matters of Association policy.
4. Serve as ex-officio member of all Association committees.
5. Perform other duties as ordinarily are performed by an executive officer.

***Section 2.*** First Vice-President

1. Preside over Association meetings in the absence of the President.
2. Perform such other duties as delegated by the President.

***Section 3.*** Second Vice-President

1. Manage membership programs of the Association.
2. Perform such other duties as delegated by the President.

***Section 4.*** Secretary

1. Keep accurate minutes of all official meetings of the Association and present written minutes of each meeting to that group for its approval;
2. Carry on correspondence as directed by the President;
3. Maintain official files of the Association;
4. Maintain electronic communication with the membership;
5. Perform such other duties as delegated by the President.

***Section 5.*** Treasurer

1. Receive all money paid to and belonging to the Association;
2. Hold the funds of the Association and disburse them upon authorization of the Board of Directors;
3. Maintain records of receipts and disbursements;
4. Maintain membership rolls;
5. Prepare oral and written financial reports for meetings of the Board of Directors and an annual financial statement to be distributed to the membership.
6. Perform such other duties as delegated by the President.

**ARTICLE V. GOVERNANCE STRUCTURE OF THE   
KENTON COUNTY EDUCATION ASSOCIATION**

***Section 1.*** The governance structure of the Kenton County Education Association shall consist of three levels: 1) General Membership; 2) The Board of Directors; 3) The Executive Committee.

***Section 2.*** The powers and duties of the General Membership are:

1. Set policies and objectives for the Association;
2. Adopt the rules and agenda governing its meetings;
3. Hear full reports from the Board of Directors, the Executive Committee, and other committees of the Association.
4. Have the power by 2/3 vote to override any decision of the Board of Directors.
5. Elect officers and NKEA/KEA/NEA delegates.

***Section 3.*** Special Meetings of the General Membership

Special Meetings of the General Membership may be called in one of the following ways:

1. By a 2/3 vote of the Board of Directors;
2. By petition of ½ of the schools in the Kenton County School District with each school’s petition being signed by 2/3 of the active members in that school;
3. By petition of ½ of the active members of the Kenton County Education Association;
4. By recommendation of the President

***Section 4.*** Board of Directors

The Board of Directors shall be comprised of elected officers of the Association, building representatives, and immediate Past President. Members in each building shall elect building representatives on a ratio of one representative to every 20 members or greater fraction thereof. Worksites with fewer than 11 active members shall cluster with another worksite for the purpose of electing a building representative.

***Section 5.*** Building Representatives

Teacher members who desire to become building representatives to the Board of Directors shall express an interest in this position by the end of the first week of school. In the event that teacher interest exceeds the number of building representative positions available according to building allotment, an election among the members at the building or worksite level shall be conducted by secret ballot at least two weeks prior to the first Board of Directors meeting in September. In the event that only one person or the exact number of persons expresses interest in the position of building representative, that person or persons shall be elected by acclamation by members at the building or worksite level.

***Section 6.*** Board of Directors

The powers and duties of the Board of Directors are:

1. Act for the Association ad interim;
2. Act upon all committee reports;
3. Adopt a budget for the Association;
4. Act upon recommendations and directives of the General Membership business meetings;
5. Conduct and supervise all referendum and elections within the school buildings;
6. Meet at least monthly (or as needed).

***Section 7.*** **Special *Meetings* of the Board of Directors**

Special ***Meetings***of the Board of Directors may be called in one of the following ways:

1. At the request of the Executive Committee;
2. At the request of the President;
3. At the request of ½ of the Board Members

***Section 8.***  Executive Committee

The Executive Committee shall be composed of the elected officers (President, immediate Past President, First Vice-President, Second Vice-President, Secretary and Treasurer)

The powers and duties of the Executive Committee are:

1. To plan agendas for the Board of Directors meetings and General Membership meetings;
2. To make program and policy recommendations to the Board and General Membership;
3. To meet as requested by any member of the Executive Committee prior to each Board meeting;
4. To make no decisions for the Association and to act solely as a coordination and advisory group.

***Section 9.*** Committees

The President shall appoint, with the consent of the Board of Directors, committees as may be necessary to achieve the Association's program. All committees shall receive specific charges from the President and shall be discharged upon completion of those charges.

A chairperson of the committee shall be elected by members of the committee.

The following shall be standing committees:

1. Professional Negotiations (PN)
2. Communications [e-News, website, FaceBook or other social networking accounts, etc.]
3. Membership
4. Government Relations
5. Grievances
6. Referendums and Ratifications (Elections)
7. Constitution
8. Audit

***Section 10.*** Grievance Committee Appeal Process

1. The Association Grievance Committee shall expeditiously review all grievance claims and make timely recommendations to the Association Executive Committee on the submission of grievances for processing at any step.
2. Within five (5) school days of receipt of the Grievance Committee's recommendation, the Executive Committee shall notify the grievant(s) in writing of the recommendations and advise the grievant(s) of their appeal rights.
3. A grievant(s) may appeal a recommendation of the Grievance Committee by submitting a letter to that effect to the Executive Committee within five (5) school days of receipt of the Grievance Committee's recommendation.
4. Appeals shall be heard by the Association Executive Committee within five (5) school days of receipt of the grievant's appeal. The grievant(s) shall have the right to present his/her appeal in person and/or in writing to the Executive Committee. The Executive Committee shall, by a majority vote of those present and voting, decide whether to accept the Grievance Committee's recommendation. Such decision shall be made and reported to the grievant(s) within five (5) days of the Executive Committee's decision and rationale shall be sent to the grievant(s) as soon as possible thereafter.

***Section 11.*** General Membership Voting

The following items of business shall be decided only by a referendum vote of every active member of the Association as per Article III, Sections 6 and 7.

Referendums and Elections include:

1. Election of officers (April);
2. Election of building representatives (May or August);
3. All elections of delegates to NKEA, KEA and NEA (as needed);
4. Constitutional revisions (as needed);
5. Recall of officers (as needed);
6. Local dues (as needed);
7. Any other action in which a referendum is called for by 2/3 vote of a General Membership Meeting, or petition of ½ of the active members plus one.

All Association delegations to State and National governance bodies shall be elected in conformance with the respective requirements.

**ARTICLE VII. FINANCES**

***Section 1.*** Dues

* 1. At the September Board of Directors meeting of the Association, the Board will adopt a budget for the following membership year and establish a dues schedule sufficient to fund the budget. The membership will receive the budget for the membership year in October with the current dues schedule electronically.
  2. Dues of the Association shall be subject to change according to the needs of the Association. Changes in the dues must be approved by a majority of the active members as provided for in Article VII, Section 5 of the Constitution.

The dues shall be .0015 = .15% of the beginning salary of a first year, Rank III teacher.

Dues for elected officers will be reimbursed at the May board meeting.

***Section 2.*** Audit Committee

The President shall appoint members to an Audit Committee each year which shall submit an Audit Report on the prior year’s financial transactions to the first regularly-scheduled board meeting.

**ARTICLE VIII. AUTHORITY**

***Section 1.*** State and National Affiliation

The Association shall comply with all affiliation requirements of the Kentucky Education Association and the National Education Association. Any part of this constitution found to be in conflict with the constitution or bylaws of either the Kentucky Education Association or the National Education Association shall be declared null and void.

***Section 2.*** Parliamentary Procedure

*Robert’s Rules of Order, Newly-Revised* shall be the authority governing all matters of procedure not otherwise provided in this constitution. At the first yearly board meeting, the President shall appoint a Parliamentarian.

**ARTICLE IX. AMENDMENTS**

The members may adopt amendments to this Constitution by a two-thirds majority of those voting at any regular meeting provided that amendments have been introduced at the preceding regular meeting and that copies of proposed amendments have been distributed to members for discussion.

**ARTICLE X. DISSOLUTION**

In the event that the Kenton County Education Association (KCEA) should dissolve, upon dissolution, the liabilities of KCEA will be paid and any remaining assets will be distributed to the Kentucky Education Association (KEA) or to another 501(c)(5) organization as approved by the KEA Board of Directors.

**NOTES, REVISIONS AND ADDENDUMS**

This constitution was voted on and approved by the members of the Kenton County Education Association on October 11, 1974.

The constitution was revised and updated by voting and approval of the members of the Kenton County Education Association on August 24, 1981.

This constitution was revised and updated by voting and approval of the members of the KCEA in November, 1989.

This constitution was revised and updated by voting and approval of the members of the KCEA in December, 1999.

This constitution was revised and updated by voting and approval of the members of the KCEA in May, 2001.

This constitution was revised and updated by voting and approval of the members of the KCEA in January, 2009.

This constitution was revised and updated by voting and approval of the members of the KCEA in June, 2015.

***This constitution was revised and updated by voting and approval of the members of the KCEA on XXXXXXX***