

BOW EDUCATION ASSOCIATION

BYLAWS

Amended 1995

Additional Amendments 1998

Additional Amendments 2004

ARTICLE I: NAME, PURPOSE AND GOVERNANCE

Section A: Name

The name of this organization shall be the " BEA" (BOW EDUCATION ASSOCIATION)

Section B: Purpose

The purposes of the Bow Education Association (NEA, NEA-NH, BEA) shall be:

1. to work for the welfare of school children, the advancement of education and the improvement of the instructional opportunities for all;
2. to develop and promote the professional interests and concerns of the members;
3. to promote professional attitudes and ethical conduct among teachers;
4. to encourage teachers to exercise their rights and privileges as citizens and to provide leadership in civil affairs;
5. to represent its members in their relations with their employer;
6. to enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the Bow School Board and other legal authorities; and
7. to hold property and funds for the attainment of NEA, NEA-NH, BEA purposes.

Section C: Governance

The BEA shall be governed by these bylaws and by such other actions as may be taken by its membership consistent herewith.

ARTICLE II: MEMBERSHIP

Section A: Types of Membership

1. Active Membership: Active membership in the BEA shall be available to all professional personnel certified as members of the BEA bargaining unit, employed by the Bow School District, who are certified in their respective profession. Active members shall hold appropriate membership in the New

Hampshire Education Association (NEA-NH) and the National Education Association (NEA).

2. Associate Membership: Associate membership in the NEA, NEA-NH, BEA shall be available to the following:

- (a) Persons on leave from the Bow School District who would otherwise be eligible for active membership in the NEA, NEA-NH, BEA;
- (b) Active members who retire;
- (c) Persons employed in the schools of the Bow School District who are not eligible to become active members.

Associate members may, upon payment of one-half (1/2) the dues to the NEA, NEA-NH, BEA, maintain all the rights and responsibilities of active membership except the right to vote, to hold office, or to represent the NEA, NEA-NH, BEA.

Section B: Membership Year

The membership year shall be September first through August thirty-first.

Section C: Obligations of Membership

Active members shall support the stated purposes and objectives of the NEA, NEA-NH, BEA. Active members shall hold appropriate membership in the NEA-NH and the NEA.

Section D: Continuation of Membership

1. Active membership shall be continuous until the member leaves the school system, resigns from the NEA, NEA-NH, BEA, or fails to pay membership dues. If a member resigns prior to the end of the school year, he/she is responsible for the full dues payment as per signed contract agreement.
2. The Executive Board Shall have the authority to censure, suspend, or expel members for violation of Article II, Section C. Charged members shall have the right to a due-process hearing by the Executive Board and the right to appeal to the general membership, which shall also afford a due-process hearing.

ARTICLE III: LEGISLATIVE AUTHORITY

Section A: Executive Board

The authority to establish BEA policies and objectives, to adopt an annual budget and to set dues (subject to membership ratification, see Article VIII), and to exercise authority on matters of the NEA, NEA-NH, BEA shall be vested in the Executive Board of the BEA.

Section B: Meetings

1. The Executive Board shall meet monthly during the school year, at the call of the president, or at the request of two (2) members of the Board.
2. The Executive Board shall arrange meetings of the general membership as deemed necessary, provided there shall be not less than two (2) meetings of the general membership each year.
3. Special meetings of the general membership may be called for by the president, by a majority vote of the Executive Board, or by the petition of at least twenty percent (20%) of the membership.

Section C: Quorum

A majority of the members (51%) present shall be a quorum for Executive Board, committee, and general membership meetings.

ARTICLE IV: OFFICERS AND EXECUTIVE BOARD

Section A: Officers

The officers of the BEA shall consist of a president, a vice-president, a secretary, and a treasurer elected by the membership at large. The president will be reimbursed for, NEA-NH, and NEA dues by the BEA. The office of president may be held by two people who will share the responsibilities and the single reimbursement.

Section B: Executive Board

The Executive Board shall consist of the four above-named officers and at least one representative elected from each school in the Bow School District. The Executive Board shall function as the executive authority of the NEA, NEA-NH, BEA, and shall be responsible for managing the affairs of the BEA, approving budgeted expenditures, carrying out adopted policies of the BEA and acting for the BEA between meetings of the general membership. The Board shall review yearly the ratio of representation of the Board to membership to ensure the "one person - one vote" standard and equitable representation.

Section C: Terms of Office

1. The term of office for all Executive Board members shall be one year.
2. If a vacancy occurs in the office of president, the 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 is held. After a period of at least two (2) weeks for open nominations, a secret ballot election shall be conducted to fill the vacancy at the next membership meeting.

Section D: Impeachment

Officers of the BEA may be impeached for misfeasance, for malfeasance, or for nonfeasance in office.

1. Impeachment procedures against an officer may be initiated by written petition submitted to the Executive Board by at least twenty-five percent (25%) of the members.
2. If, after a due-process hearing, a two-thirds (2/3) vote of the Executive Board shall sustain the charge, the office shall become vacant.
3. The officer may appeal the decision to a special meeting of the general membership.

Section E: Nominations and Election of Officers

The president shall annually appoint a Nominating Committee which shall be charged with the responsibility of securing candidates for pending vacancies. All active members shall have the right to nominate and be nominated for office. All nominees must be members of the NEA, NEA-NH, BEA at the time of nomination and election. Present officers will be asked if they are interested in continuing in that office, and potential candidates will be informed of other candidates for the same office. A list of candidates for elected office will be made available two weeks prior to the election. The nominations Committee shall report its nominations to the membership at a meeting in May. Members may nominate other candidates from the floor. The election of officers or representatives shall occur at this meeting. Election shall be by secret ballot and shall require a majority of all votes cast. Elected officers shall assume office on the first of June. Absentee ballots will be accepted up to forty-eight (48) hours after the close of balloting. If no office is contested, a motion may be made to allow the secretary to cast a single ballot. In such a case, the absentee ballot 48 hour acceptance period shall be waived.

ARTICLE V: DUTIES OF OFFICERS

Section A: President

The president shall preside over the meetings of the general membership and the Executive Board. The president shall be the chief elected officer of the NEA, NEA-NH, BEA with the powers and duties usually attributed to such office. The president shall be a member *ex-officio* of all committees, and may appoint and request volunteers for the chairpersons and members of the standing committees and special committees, subject to the Executive Board's approval. The president shall represent the BEA on all matters before the public either personally or through delegates.

Section B: Vice-President

The vice-president shall, in the absence of the president, perform all duties of the president and when so acting shall have the powers of the president. The vice-president will keep the membership abreast of local, state, and national legislation affecting the interests of the members. The vice-president shall perform such other duties as delegated by the president.

Section C: Secretary

The secretary shall keep accurate records of all meetings of the Executive Board and the general membership, shall maintain official files, and shall assist the president with NEA, NEA-NH, BEA correspondence.

Section D: Treasurer

The treasurer shall hold the funds of the BEA and disburse them upon authorization of the Executive Board. The treasurer shall maintain membership rolls, bill the members for their annual dues, collect dues, and transmit to the NEA-NH amounts due to the NEA-NH and NEA. The treasurer will request the assistance of two (2) Association members to prepare financial reports for meetings of the Executive Board and an annual financial statement to be distributed to the membership.

ARTICLE VI: COMMITTEES

Section A: Standing Committees

There shall be four standing committees carrying the specific functions outlined below. Standing committees shall have members selected to represent the NEA, NEA-NH, BEA at large and, with the exception the Collective Bargaining Committee, serve for a term of one year. The term of the Collective Bargaining Committee shall be two (2) years. Each standing committee shall meet regularly according to a schedule developed by that committee. Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the membership and Executive Board and shall prepare an annual written report which shall become a part of the BEA file.

1. Collective Bargaining Committee: The Collective Bargaining Committee, under the supervision of the Executive Board, shall represent the NEA, NEA-NH, BEA in all negotiations. This committee will prepare negotiation proposals and rationale based on an assessment of membership concerns, and other related working condition factors. The committee may seek the assistance, with Executive Board approval, of an outside consultant. The chairman of this

committee will be reimbursed for NEA, and NEA-NH dues by the BEA. Any member of the Collective Bargaining Committee shall attend Executive Board Meetings.

2. Grievance Committee: The Grievance Committee shall recommend to the Executive Board policies for the adjudication of grievance. This committee shall advocate for all grievants by investigating the complaint, and processing grievances through the appropriate procedure(s). Further, this committee shall also develop a continuing program for educating the members with regard to their rights and responsibilities.
3. Committee on Professional Recognition: The Committee on Professional Recognition shall organize and oversee two national education recognition events yearly: American Education Week (November) and Teacher Recognition Day (May). It will assist teachers presently in the district on matters concerning professional growth by working in supplement to the district Staff Development Committee. Specifically, this committee's responsibility will be to keep an updated bulletin board of professional education and in-service opportunities of value to the teaching staff. This committee will also provide personal letters of congratulations to colleagues for their professional achievements.
4. Communications Committee: The Communications Committee advocates a better understanding of the role, objectives, programs and accomplishments of the Association and its members.
5. Sick Bank Committee: **A sick bank committee shall oversee administration of the sick bank as outlined in article XVI, section 1.1 of the master agreement.**

Section B: Special Committees

Each year the president may appoint and request volunteers for a Nominations Committee, an Audit Committee, a Budget Committee, a Scholarship Committee and such other special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Executive Board. No officer of the BEA shall serve on either the Nominations Committee or the Audit Committee.

ARTICLE VII: STATE AND NATIONAL DELEGATES

Section A: Election of Delegates

All BEA delegates to State and National Governance bodies shall be elected to a two year term, with one delegate to be elected each year for alternating terms.

ARTICLE VIII: FINANCES

Section A: Fiscal Year

The fiscal year of the BEA shall be the same as the membership year, September first through August thirty-first.

Section B: Dues

At the annual business meeting of the BEA, the Executive Board will adopt a budget for the following membership year and establish a dues schedule sufficient to fund the budget. Increases in membership dues shall be subject to membership ratification. Ratification shall require a two-thirds (2/3) majority of those voting at any regular general membership meeting.

Section C: Audit

The president may appoint or request volunteers for an Audit Committee each year which shall submit an audit report on the prior year's financial transactions to the first regularly scheduled membership meeting each year.

Section D: Conflict of Interest

Any possible conflict of interest on the part of any member of the Board, officer or employee of the Corporation, shall be disclosed in writing to the Board and made a matter of record through an annual procedure and also when the interest involves a specific issue before the Board. Where the transaction involving a board member, trustee or officer exceeds five hundred dollars (\$500) but is less than five thousand dollars (\$5000) in a fiscal year, then a two-thirds vote of the disinterested directors and publication in the required newspaper is required. The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the actual vote itself. Every new member of the Board will be advised of this policy upon entering the duties of this or her office, and shall sign a statement acknowledging, understanding of and agreement to this policy. The Board will comply with all requirements of New Hampshire law in this area and the New Hampshire requirements are incorporated into and made a part of this policy statement.

Section E: Provision for Dissolution

The provisions for disposition of the corporate assets of the charity in the event of dissolution of the corporation are:

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Service Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

If you choose to name a specific organization to receive the assets of the organization in the event of dissolution, the receiving organization must be a like or similar one operating with the same purpose. If the specific organization is tax -exempt under IRS Code Section 501(c)(3), it must be registered with the State of New Hampshire Department of Justice.

ARTICLE IX: AFFILIATION AND AUTHORITY

Section A: State and National Affiliation

The BEA shall comply with all affiliation requirements of the NEA-NH and the NEA. Any part of these bylaws found to be in conflict with the constitution or bylaws of either the NEA-NH or the NEA shall be declared null and void.

AMENDMENTS

Section A: Adoption of Amendments

The members may adopt amendments to these bylaws by a two-thirds (2/3) majority of those voting at any regular meeting provided that amendments have been introduced at least two (2) weeks prior to the meeting and that copies of proposed amendments have been distributed to members for discussion.