

Rochester Education Association

BYLAWS

November 4, 2020

Rochester Education Association Bylaws

Rochester, Minnesota
Revised February 1987
Revised February 1992
Revised December 1994
Revised March 1999
Revised November 2007
Revised May 2, 2012
Revised September 14, 2016
Revised October 3, 2018
Revised November 4, 2020

ARTICLE I - Meetings

Section 1 - General Membership Meetings

General membership meetings shall be held at the request of the President, by a majority vote of the Executive Board, or by a request of at least fifteen (15) members of the Faculty Representative Assembly.

Section 2 - Faculty Representative Assembly

- a. The Faculty Representative Assembly shall meet on the first Wednesday of each school month or as approved by the Faculty Representative Assembly.
- b. Special meetings of the Faculty Representative Assembly may be held at the call of the President or upon written request to the Executive Board from five faculty representatives. Business to come before special meetings must be stated in the call, which shall be in writing to each representative.
- c. In the event that a Faculty Representative Assembly is cancelled due to unforeseen circumstances, agenda items that need a vote will follow this protocol:
First, a motion needs to be submitted to the President with a proper second.
Second, a motion properly moved and seconded will be sent out by the president via email with a stated time deadline for Faculty Representatives to vote.
For a motion to pass, 50% + 1 of Faculty Representatives need to vote and of that 50% + 1 a majority will need to be in favor of the motion.

Section 3 - Executive Board

The Executive Board shall meet each school month at the call of the President or at the request of three members of the Board.

Section 4 - Standing Committees

The standing committees shall meet regularly at the call of the chairperson. Notice of location and agenda of all regular meetings shall be sent to the President.

ARTICLE II - Quorum

A majority of their voting members shall be a quorum for the Faculty Representative Assembly, Executive Board and Committees.

ARTICLE III - Authority of Officers

Section 1 - President

The President shall preside over meetings of the Executive Board, appoint the chairpeople of standing committees and representatives to councils established by Education Minnesota with approval of the Faculty Representative Assembly. The President shall be an ex officio member of all standing committees, special committees, and the Faculty Representative Assembly. The President shall be executive officer of the Rochester Education Association and shall be the official representative of the Rochester Education Association. The President shall, upon authorization of the Faculty Representative Assembly, make temporary appointments in the case of Executive board vacancies.

Section 2 - Vice-President

The Vice-President shall prepare an agenda for each meeting of the Faculty Representative Assembly and shall circulate the agenda as well as a background publication of issues to all members of the Faculty Representative Assembly so that representatives have time to discuss it with their faculty members in advance of the Faculty Representative Assembly meeting. The Vice-President shall be a member of, and preside over, the Faculty Representative Assembly.

Section 3 - Secretary

The Secretary shall take minutes of the Executive Board and Faculty Representative Assembly meetings and maintain official correspondence.

Section 4 - Treasurer

The Treasurer shall hold the funds of the Rochester Education Association and disburse them upon authorization by the Executive Board. The Treasurer shall receive the dues and any special assessments collected by Faculty Representatives and transmit amounts due to Education Minnesota. The Treasurer shall maintain a roll of the members, shall keep accurate accounts of receipts and disbursements, shall select a depository for safe keeping of receipts, shall report to each meeting of the Faculty Representative Assembly, and shall prepare an annual financial statement for publication to members as directed by the Executive Board. The Treasurer shall keep the President and Executive Board informed of the financial condition of the Rochester Education Association, shall assist the Faculty Representative Assembly in the initial drafting of the annual budget, and shall invest temporary surplus funds in short term savings certificates from any federally insured financial institution, government bonds, or treasury notes. Other types of investments must be approved by the Faculty Representative Assembly. The Treasurer shall have the books audited annually and shall be bonded by the Rochester Education Association.

ARTICLE IV - Authority of Executive Board

Section 1 - The Executive Board shall be responsible for the management of the Rochester Education Association, carry out policies established by the Faculty Representative Assembly, report its transactions and those of the Rochester Education Association to the members, and suggest policies for consideration by the Faculty Representative Assembly.

Section 2 - The Executive Board shall develop workshops and training conferences for leaders.

ARTICLE V - Authority of the Faculty Representative Assembly

Section 1 - The Faculty Representative Assembly shall approve the budget, set the dues for the Rochester Education Association, act on reports of committees, approve resolutions and other policy statements, and shall adopt procedures for implementing the Code of Ethics of the education profession and those to be followed in censuring, suspending, and expelling members for cause or for reinstating members. It may adopt such rules governing the conduct of the Rochester Education Association and the conduct of meetings as are consistent with this constitution and bylaws. It shall be the final judge of the qualifications and election of officers and Faculty Representatives. Powers not delegated to the Executive Board, the officers, or other groups in the Rochester Education Association shall be voted in the Faculty Representative Assembly.

Section 2 - The Faculty Representative Assembly shall have the power to assess the members when such assessment is approved by the majority vote of the Faculty Representative Assembly.

Section 3 - In the absence of the Vice-President, the President shall preside over the meetings.

ARTICLE VI - Faculty Representatives

Section 1 - In each public school or building in Independent School District #535, faculty members who are members in good standing of the Rochester Education Association shall elect, for a term of two years, one Faculty Representative for the Faculty Representative Assembly for each fifteen members or major fraction thereof. There shall be at least one representative from each building. Where more than one such representative is elected, one shall be designated the Senior Faculty Representative by the Faculty Representatives of that building. The terms of the Faculty Representatives shall be staggered.

Section 2 - The Senior Faculty Representative shall be responsible for coordination of those activities common to all faculty representatives.

Section 3 - Faculty Representatives shall attend all meetings of the Faculty Representative Assembly. If a Faculty Representative is absent for two consecutive meetings in one school year, the matter will be brought to the attention of the building membership by the President or Vice-President. After consideration, the representatives' position shall be declared vacant or affirmed the position with the assistance of the President or Vice-President. In the event the position is declared vacant, it shall be filled in accordance with Rochester Education Association policy.

Section 4 - If a Rochester Education Association member charges that a Faculty Representative has been grossly negligent in the performance of his/her duties, such a charge shall be investigated by a committee of three Faculty Representatives appointed by the Vice-President, who shall serve as chairperson. The committee shall determine if cause exists to bring the matter to the Faculty Representative Assembly for action.

Section 5 - Immediately following the call to order, the Faculty Representative Assembly shall consider the seating of substitute representatives for voting purposes.

Section 6 - The Faculty Representatives shall be responsible to communicate association business to the members. The Faculty Representatives, with the Senior Faculty Representative as chairperson, may call faculty meetings of the association members to discuss association business, shall appoint such faculty committees as the Rochester Education Association may require and shall organize and oversee the subsequent elections of Faculty Representatives and the enrollment of the members.

Section 7 -Each Faculty Representative shall be provided with a list of the members he/she represents at the building level. With the aid of the Faculty Representatives, the list shall be corrected as changes occur during the school year.

Section 8 - Faculty Representatives shall be members of the unified profession. They shall be members of the Rochester Education Association at the time of their election and shall maintain their membership in good standing during their term of service.

ARTICLE VII - Standing Committees

Section 1 - Structure

All standing committees with the exception of the Negotiations Committee (Article VIII, Section 5) shall follow these procedures: (1) they shall have up to six members, including the chairperson; (2) the committee members shall be selected by the appointed chairperson, with the approval of the Faculty Representative Assembly; (3) the members shall represent different levels in the Rochester Education Association; (4) the members shall be appointed for overlapping terms of two years.

All standing committees may organize subcommittees and task forces from the membership of the Rochester Education Association for specific activities. In no case shall a committee present or sponsor a statement to the public without first submitting it to the Executive Board or the Faculty Representative Assembly for approval.

Section 2 - Reporting

Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons or other representatives of the committees shall report each month to the Faculty Representative Assembly and shall prepare an annual written report summarizing objectives, action programs, gains and unreach goals which shall become a part of the continuing committee record in the Rochester Education Association annual report.

ARTICLE VIII - Duties of Standing Committees

Section 1 - Governmental Relations Committee

Rochester's Governmental Relations Committee is a nonprofit, unincorporated committee organized to support and strengthen public education, to encourage educators and others to take an active role in governmental issues, to promote understanding of education issues; and assist in organizing effective political action by educators and others.

The committee shall have concern for local elected officials' activities. This may include the school board and state officials. The committee shall have broad concern for local, state, and national legislation affecting the interests of the Rochester Education Association and shall

inform members of their political responsibilities. The committee shall be diligent to inform members about legislation. The Governmental Relations Committee shall study pending legislation and promote activities leading to the passage of desirable state legislation for education. The committee shall study legislation before the Congress and develop activities that lead to the passage of desirable federal legislation for education. The committee shall educate members and the public on the political responsibilities of teachers and develop programs that will encourage wide exercise of those responsibilities.

Section 2 - Member Services

The committee shall develop and conduct programs for the orientation of new teachers to the community, the school system, and the Rochester Education Association. The committee shall organize such social activities as may serve the needs of members and promote fellowship within the Rochester Education Association. The committee shall investigate and organize special services for the membership in accordance with policies adopted by the Faculty Representative Assembly.

Section 3 - Communications Committee

The committee shall seek to develop public understanding of the purposes and programs of the Rochester Education Association, the values and importance of education, and, in cooperation with the administration, the education philosophy and programs of the schools. The committee shall develop procedures by which the Rochester Education Association can work cooperatively with parents and the public in civic, fraternal, and social organizations, and through all available channels of communication.

Section 4 - Negotiations Committee

The Negotiations Committee shall be the official representative body of the Rochester Education Association in all matters of business pertaining to negotiations of a master contract. The Negotiations Committee shall consist of at least five members appointed by the President. Appointments shall be approved by the Faculty Representative Assembly. The Negotiations Committee shall serve until the signing and delivery of the master contract. The members of the Negotiations Committee are directly responsible to the Executive Board and the Faculty Representative Assembly for directions and guidance. The committee shall explore and prepare action programs in all areas of negotiations. The committee may create subcommittees or task forces with particular responsibilities. The committee shall consult with and seek advice from all other standing committees relative to negotiations proposals.

Section 5 - Professional Development Committee

The Professional Development Committee shall concern itself with all matters relating to educational objectives, curricular content, and teaching methods. The committee shall explore and develop action programs to raise and maintain standards for certification, employment, and assignments; to improve opportunities for pre-service, continuing, and in-service professional education; and to create and maintain rapport between the Rochester Education Association and institutions of higher education. The committee shall monitor and evaluate programs related to the profession.

Section 6 - Teacher Rights

The Teacher Rights Committee shall suggest programs, policies and provisions for the master contract concerning the area of teacher rights. It shall work with the Executive Board, teacher advocates, and the Faculty Representatives to help secure proper dispositions of all Rochester Education Association grievances; advise the courses of action in situations of censure,

suspensions, and expulsion of members in agreement with the policy of the Rochester Education Association; and advise the appropriate course of action on disciplinary actions to be taken involving violations of the Code of Ethics of the Education Profession by members of the district staff.

Section 7 - Membership

The Membership Committee shall be responsible for recruiting and enrolling new and returning teachers as members of the Rochester Education Association; maintaining an accurate membership list of all dues paying members and teachers paying fair share dues; transmitting all dues paid to Education Minnesota; and checking and reporting any changes in membership status to Education Minnesota to make sure all state and local records correspond. This should be done as soon as any corrections/changes are received.

ARTICLE IX - Select Committees

Section 1 - The Elections Committee shall consist of up to five members appointed by the President. The committee shall find nominees to fill vacancies of officers, Executive Board members, National Education Association, American Federation of Teachers, and Education Minnesota delegates and alternates. The committee shall report all nominations to the Faculty Representative Assembly at the appropriate meeting and shall publish brief information on each candidate to the membership prior to the election. The committee shall follow and implement election guidelines adopted by the Faculty Representative Assembly.

Section 2 - Each year the President shall appoint any ad hoc committee chairperson(s).

ARTICLE X - Caucuses

Section 1 - If Rochester Education Association members having a commonality of purpose or concern wish to establish an official caucus within the Rochester Education Association, the matter may be considered by the Faculty Representative Assembly. An official caucus of the Rochester Education Association shall be established upon an affirmative vote of a majority of the Faculty Representative Assembly.

Section 2 - The terms and conditions of the relationship between the Rochester Education Association and the caucus shall be negotiated by the Faculty Representative Assembly and the members seeking caucus status.

ARTICLE XI - Elections and Procedures

Section 1 - Rochester Education Association elections will be held concurrently with Education Minnesota, National Education Association (NEA), and American Federation of Teachers (AFT). The number of delegates elected shall not exceed the number of delegates allocated to the Rochester Education Association by Education Minnesota, NEA, and AFT.

Section 2 - Election of National Education Association (NEA), American Federation of Teachers (AFT), and Education Minnesota delegates and alternates shall be consistent with NEA, AFT, and Education Minnesota Guidelines.

Section 3 - Election of Officers and Executive Board Members

- a. The President shall be elected for a three-year term and shall concurrently serve as an Education Minnesota delegate, National Education Association delegate, and American Federation of Teachers delegate.
The President shall be on a leave of absence from the school district for the term of office with no loss of salary or fringe benefits. The association shall bear the cost of salary and fringe benefits otherwise payable by the district were the president not on leave of absence.
- b. The Vice-President shall be elected for a three-year term and shall concurrently serve as an Education Minnesota delegate.
- c. The Secretary shall be elected for a three-year term and shall concurrently serve as an Education Minnesota delegate.
- d. The Treasurer shall be elected for a three-year term and shall concurrently serve as an Education Minnesota delegate.
- e. The members of color representatives shall be elected for a two-year term and shall concurrently serve as Education Minnesota delegates.
- f. Executive Board members shall be elected for two-year terms.

Section 4 - Installation of Officers

Elected officers and executive board members shall be installed at the Faculty Representative Assembly May meeting. Newly elected officers and Executive Board members will assume their responsibilities on the last contracted day of the current school year.

Section 5 - Elections

Election Procedures: All elections shall be governed by applicable state and federal laws.

- a. Each member must receive at least 15 days notice of the procedures and deadlines to file as a candidate for the election and the date, time and place of the election.
- b. Every member must have a fair and equal opportunity to participate in the election without unreasonable impediments.
- c. Voting must be by secret ballot.
- d. In a contested election, candidates must be allowed to station observers at the polling places.
- e. Representatives of the competing candidates should be allowed to observe, but not actually participate in, the counting of ballots.
- f. The used, unused and challenged ballots; the envelopes used to return ballots; and other documents related to the election should be safely stored for one year in case there is a challenge to the election.
- g. No union funds may be used to support any candidate.
- h. The union should comply with reasonable requests to distribute campaign literature at the candidate's expense.
- i. Candidates have the right to inspect the membership list once within 30 days prior to the election. No candidate can have preferential access to the list.
- j. There shall be an open nomination process for all elections. During the month of January the active members of the Rochester Education Association in each building may make open nominations for candidates of officers and executive board members. Nominations will close at the February FR Assembly.
- k. If there is only one candidate for a position, the election for the position may be waived and the candidate declared elected. In order to waive such an election a reasonable period of time must have been provided for nominations and there shall be no provision allowed for write-in votes for any election.

Section 6 - Balloting and Reporting

- a. At the Faculty Representative Assembly at which nominations are made, the Elections Committee shall propose the primary and general election dates for Faculty Representative approval.
- b. All elections shall be conducted by the Senior Faculty Representative or Association member designated by the Faculty Representative Assembly. All balloting will be done by a secret ballot.
- c. The Elections Committee shall report the results of the primary and general elections to the President, who shall cause them to be published. National Education Association, American Federation of Teachers and Education Minnesota delegates and alternates shall take office upon election and shall serve until their successors are elected.

ARTICLE XII - Fiscal and Membership Year

The fiscal and membership year of the Rochester Education Association shall be September 1 to August 31.

ARTICLE XIII - Ethnic Minority Representation

The Rochester Education Association shall take all reasonable steps to ensure ethnic minority representation at least proportionate to its ethnic minority membership.

ARTICLE XIV - Authority

Robert's Rules of Order, Revised shall be the official parliamentary guide for the Rochester Education Association.

ARTICLE XV - Amendments

These Bylaws may be amended by majority vote at any regular meeting of the Faculty Representative Assembly provided that proposed amendments have been introduced at a preceding regular meeting of the Faculty Representative Assembly.

Revised: April 1970, May 1971, May 1973, May 1974, March 1975, June 1976, September 1981, May 1983, February 1987, August 1989, August 1990, October 1991, February 1992, December 1994, March 1999, November 2007, May 2, 2012, September 14, 2016

