

**THE BY-LAWS  
OF THE  
INDIAN RIVER EDUCATION ASSOCIATION  
ARTICLE I  
NAME, AFFILIATION, AND PURPOSE**

Section 1 – Name

The name of this organization shall be the Indian River Education Association. The Association shall be affiliated with the Delaware State Education Association (DSEA) and the National Education Association (NEA).

Section 2 - Purpose

The purpose of this Association shall be to promote the general welfare and status of its members, to promote excellence in education, and to advance the cause of public education in Delaware.

**ARTICLE II  
MEMBERSHIP**

Section 1 - Membership Year

The membership year shall be the same as DSEA and NEA \* September 1 to August 31.

Section 2 - Membership Categories

The categories of membership, qualification requirements, and voting status shall be the same as those stipulated by the DSEA by-Laws. This local may include more than one employee group in the school district. This decision to create a local association shall be made by the Representative Assembly, following the notification of the membership that such a decision is being considered.

Section 3 - Membership Dues

Annual local association dues together with the next year's annual budget shall be established by the Representative Assembly prior to the close of each school year.

Section 4 - Membership Discipline and Due process

No member may be censured, suspended, or expelled without good cause and a due process hearing. The hearing shall be conducted before the representative Assembly, which shall vote on the action. The charged person may appeal this decision to the DSEA Executive Board, which will make the final decision.

## ARTICLE III OFFICERS

### Section 1 - Officer Positions

The elected officers of the Association shall be the President, Vice-President (one from each employee group), and Secretary. The term of office for each shall be two (2) years, beginning July 1 following their election. They shall be, and shall remain members of the Association while in office. Procedures for elections are discussed in Article VIII - Elections.

The Treasurer shall be appointed by the Executive Council with the approval of the Representative Assembly.

### Section 2 - Removal and Due Process

Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of office. Where officers have been guilty of misconduct or have not completed their duties, such officer may be removed from office for cause, following proper notice and a hearing before the Representative Assembly. and then, after proper notice, by a majority vote of the members of the Association.

### Section 3: Duties of the president

The President shall

- a. Be the chief officer, representative and spokesperson for the local association
- b. Meet regularly with the Executive Committee to plan and implement the programs of the local association.
- c. Preside at the representative Assembly, Executive Committee and all general meetings of the local association.
- d. Appoint all committees, after consultation with the Executive Committee with approval of the Representative Assembly.
- e. Be a co-signer with the Treasurer of all checks and approval of all cash expenditures of the local association.
- f. Be a delegate to the DSEA Representative Assembly by reason of election as President.
- g. Make certain the local association is complying with the bylaws and policies.
- h. Attend (or by designee) monthly School Board meetings as IREA spokesperson.
- I. Attend all DSEA president council meetings or may send a designate.
- j. Be a member or appoint a designee to district committees as requested to a maximum of three (3) committees.
- k. Serve on the negotiations committee of the specific group represented and to aide in negotiations of the other groups.
- l. Attend New Teacher Day.

m. Miss no more than two of the scheduled building representative meetings and miss no more than two of the scheduled district liaison meetings.

If president does not attend the required number of meetings the stipend will then be based on the percentage of the scheduled meetings they actually attended.

Ex. President attends 13 of 18 scheduled meetings, they shall then receive 72.2% of the stipend.

#### Section 4: Responsibilities of the Vice-president

The Vice-President shall:

a. Be responsible for establishing and implementing communication with the members from their respective employee groups.

b. Be responsible to work with the Association representatives (ARs) to foster their involvement in association decisions, their communicating and involving members, and their carrying out of Association actions and programs.

c. For their employee group, direct and monitor a local association leadership identification, training, and retention program.

d. For their employee group, direct and monitor membership involvement in the association.

e. Perform the duties as the President directs.

f. One Vice-President needs to be designated by the first Representative Assembly of each year to assume the duties of the President when the President is absent.

g. One Vice-President needs to be designated as co-signer of checks in emergency situations when the President or Treasurer is not available.

h. Miss no more than two of the scheduled building representative meetings and miss no more than two of the scheduled district liaison meetings.

If vice president does not attend the required number of meetings the stipend will then be based on the percentage of the scheduled meetings they actually attended.

Ex. Vice president attends 13 of 18 scheduled meetings, they shall then receive 72.2% of the stipend.

#### Section 5: Responsibilities of the Treasurer

a. Be responsible to the Executive Committee, Representative Assembly, and the membership for the accounting of all funds of the local association. This would also include a regular accounting of all receipts and disbursements to the Representative Assembly.

b. Attend at least two scheduled treasurer meetings as offered by DSEA or schedule and attend meetings with DSEA treasurer.

c. Develop, with the Executive Committee, a proposed operating budget each year and send to DSEA, in October, after approval by the Representative Assembly.

d. Be a co-signer, with the president, of all checks and cash expenditures of

the local association.

- e. Maintain the official financial and corporate records of the local association.
- f. Insure that the local's membership dues are accurate with the records of DSEA and NEA, and be knowledgeable of mileage rates.
- g. Insure that an annual audit of all association income and expenditures is completed and submitted by early October. Results of the audit will be submitted to DSEA upon receipt.
- h. Miss no more than two of the scheduled building representative meetings and miss no more than two of the scheduled district liaison meetings.  
If treasurer does not attend the required number of meetings the stipend will then be based on the percentage of the scheduled meetings they actually attended.  
Ex. Treasurer attends 13 of 18 scheduled meetings, they shall then receive 72.2% of the stipend.

### Section 6: Responsibilities of the Secretary

- a. Send a proposed agenda the week prior to the Representative Assembly meeting and submit the official agenda following the meeting to the website coordinator and Representative Assembly.
- b. Keep, record, and disseminate the minutes of all Representative Assembly, Executive Committee and general membership meetings to the website coordinator and the Representative Assembly.
- c. Maintain for the local association the official records of the incorporated body including:
  - 1. minutes
  - 2. past treasurer's reports.
  - 3. important correspondence
  - 4. up-to-date copy of the bylaws
  - 5. Previous negotiated agreements.
- d. Meet regularly with the Executive Committee to plan and implement the programs and policies of the local association.
- e. coordinate and implement the member involvement program.
- f. Miss no more than two of the scheduled building representative meetings and miss no more than two of the scheduled district liaison meetings.  
If secretary does not attend the required number of meetings the stipend will then be based on the percentage of the scheduled meetings they actually attended.  
Ex. Secretary attends 13 of 18 scheduled meetings, they shall then receive 72.2% of the stipend.

### Section 7: Vacancies

A vacancy in the office of the President shall be filled for the unexpired term by the designated Vice-President. A vacancy in the term of the Secretary or Treasurer shall be filled for the unexpired term through approval by the Representative Assembly. A vacancy in the office of the Vice-President of the Association shall

be filled by approval of the Representative Assembly.

## ARTICLE IV REPRESENTATIVE ASSEMBLY

### Section 1: Purpose

The Representative Assembly shall be the corporate board of directors and shall serve as the legislative body of the local association.

### Section 2: Authority of Representatives Assembly

- a. Adopt the annual budget, which shall include the local dues amount for that budget year.
- b. Serve as the policy making body of the local association and conduct the ongoing business of the organization.
- c. Amend the bylaws of the association.
- d. Approve committee chair appointments.
- e. Other) s) as needed.

### Section 3: Voting Members of the Representative Assembly

- a. Association Representative(s) from each building/worksite
- b. The membership in each building/worksite shall elect Association Representatives to the Representative Assembly (See Article VIII for election guidelines).

c. Elected Officers and other Executive Committee Members  
The Elected Officers, Immediate Past President, and other elected members of tire Executive Committee shall be voting members of the Representative Assembly

- d. Ethnic Minority Representatives

The representative Assembly shall have a number of ethnic minority members which is at least proportionate to the local's ethnic minority membership. Should proportional ethnic minority membership not occur through normal association representation on el elections, the Representative Assembly shall nominate and elect ethnic minority representatives, Ethnic minority shall mean those persons designated as ethnic minority by the U.S. Bureau of the Census. The designation shall include American Indian and Alaskan native Asian and Pacific Islander, African- Americans, and Hispanic.

### Section 4: Meetings

a. The Representative Assembly shall meet monthly during the school year at a regularly scheduled time and place adopted by the Assembly at its first meeting of the year. The President, with the concurrence of the executive Committee, shall schedule the first meeting and prepare recommendations for future meetings, dates, and location which the Assembly will act on at its first meeting.

b. Special meetings may be called by the President, by a majority of the ARs, or by a 2/3 vote of the Executive Committee.

## ARTICLE V ASSOCIATION REPRESENTATIVES (ARs )

### Section 1: Selection of Association Representatives

a. ARs shall be elected by the members in the building/worksites. The process shall include open nomination and secret ballot. They shall be elected on a ratio of one ( 1) representative for every 18 members or fraction thereof. Every building/worksites shall have at least one (1) AR. The number of ARs a building/worksites has for the upcoming year shall be determined by the number of members as of February 1 of the current year. They shall be, and shall remain, members of the association while serving as ARs.

b. ARs shall serve a term of two (2) years and may be reelected. The elections will be conducted by June 1. The term shall begin on July 1 .

### Section 2: Responsibilities of the Association Representatives

a. To represent the members by attending the meetings of the Representative Assembly by participating in the decision-making process, and by implementing the actions and activities of the Association.

b. To keep the members informed of the Association issues and keep the Association informed of their members' opinions and ideas.

c. To promote member involvement in the Association by recruiting members for Association activities and programs, and to facilitate the recruitment of new members as well as NEA Fund for Children.

d. To assist members with their problems and concerns.

e. To develop a working relationship with administrators in order to effectively represent the members.

f. To attend a minimum of 6 meetings per 1year not to include the May meeting.

### Section 3: Training and Development of ARs

The Association shall implement ongoing training and development for the ARs. The training should minimally include how ,the Association (local, DSEA, NEA) functions, how to promote member involvement, how to assist members with problems, and how to work with administrators in representing members and the Association.

#### Section 4 : Head Association Representatives

In building/worksites that have more than one (1) AR, a Head AR shall be selected by the ARs to be the main contact with the local Association. They shall coordinate the communication with members and facilities carrying out the actions and programs of the Association.

#### Section 5: Alternate Association Representatives

One alternate AR shall be elected for each AR. They may attend Representative Assembly meetings and be a voting member in the absence of the regular AR.

#### Section 6: Recall of ARs

An Association representative may be recalled for poor performance of duty by 2/3 vote of the membership of the worksite he/she represents. They may also be removed by a vote of the Representative Assembly for missing four (4) meetings of the Assembly within one (1) year.

#### Section 7: Vacancies

When a vacancy occurs in an AR position, the elected alternate shall assume the position. If no elected alternate exists, the Representative Assembly may approve a volunteer to be an Association Representative from the building members to fulfill the unexpired term until the next regularly scheduled election.

## ARTICLE VI EXECUTIVE COMMITTEE

#### Section1 Purpose

The Executive Committee shall be responsible for the implementation of Association actions and, when necessary, be the interim policy-making body between meetings of the Representative Assembly.

#### Section 2: Composition

The Executive Committee shall consist of the elected officers and the immediate past President.

#### Section 3: Authority/Responsibility of the Executive Committee

- a. Implement and coordinate the actions of the Representative Assembly.

- b. Act as the primary body for the Association, developing a plan that includes goals and strategies to achieve them, and that the membership and the representative Assembly are meaningfully involved in the planning process.
- c. Make policy decisions in the interim between Representative Assembly meetings.
- d. Develop and implement a membership involvement program.
- e. Propose the annual budget to the representative Assembly.
- f. Make contingency expenditures when they have not been budgeted.
- g. Insure that the local association is meeting its responsibilities of incorporation.
- h. Miss no more than two (2) regularly scheduled meetings of the Executive Committee and the Representative Assembly. Emergencies will be addressed on an individual basis.

#### Section 4: Meetings

The Executive Committee shall meet monthly, no later than one (1) week prior to the scheduled Representative Assembly, to set the agenda. A schedule of the meetings shall be prepared by the President and approved by the Executive Committee at its first meeting of the year. Special meetings may be called by the President or by a majority of the Executive Committee.

#### Section 5: Ethnic Minority Representation

The Executive Committee shall have a number of ethnic minority members which is at least proportionate to the local's ethnic minority membership. Should proportional ethnic minority membership not occur through normal Association representational elections, the Representative Assembly shall nominate and elect ethnic minority representatives. Ethnic minority shall mean those persons designated as ethnic minority by the U.S. Bureau of the Census. The designation shall include American Indian and Alaskan native, Asian and Pacific islander. African- Americans, and Hispanic.

## ARTICLE VII MEMBER INVOLVEMENT PROGRAM

It shall be a primary goal to involve the membership in the local association. The Executive Committee is charged with developing a program which will involve members in the activities of the Association.

## ARTICLE VIII ELECTION PROCEDURES

#### Section 1: General Principles



All elections of the Association shall have a member notification and nomination process. Each election involving the membership shall be by secret ballot.

### Section 2: IREA Elections Committee

An Election Committee shall be appointed by the President with concurrence of the Representative Assembly. Their responsibilities shall be to set up and conduct the all-member elections, insure compliance with notification, timelines, procedures, and the secret ballot requirement.

### Section 3: Officer Elections

The member notification and nomination process shall be completed by April 30, and the elections are to be held by May 30.

Procedures for these elections shall be adopted by the Representative Assembly no later than its February meeting and shared with the membership. Minimally, the procedures will include specific timelines, how a person may be nominated, and will establish a process of distributing and collecting ballots that insures a secret ballot and a member's right to vote.

Candidates receiving the most votes shall be declared the winner, If there is only one candidate for office, then the Representative Assembly can declare a winner without general membership elections.

### Section 4: Association Representative Elections

The Executive Committee shall adopt a procedure for election of the ARs. The procedure will include timelines and a notification and nomination process to be shared with membership. The procedure will insure a secret ballot election.

### Section 5: Election of DSEA and NEA Delegates to the Representative Assemblies

Local delegates to the DSEA and NEA Representative Assemblies shall be nominated and elected in accordance with the requirements of the two organizations. Open nominations and a secret ballot must be part of the due process.

## ARTICLE IX COMMITTEES

### Section 1: Purpose

The purpose for establishing committees is to involve the membership in the decisions and the activities of the Association. Knowing the need for certain committees will change from time to time, the president, with the consultation of the

Executive Committee and approval of the Representative Assembly, will annually create 1 committees or task forces with specific charges and responsibilities. These committees shall exist for up to two (2) years. However, all committees or task forces shall cease to exist at the end of the president's term.

Each committee will receive goals and charges each year and shall implement strategies/actions to address them.

## Section 2: Possible Committees

1. Legislative/Political Action Committee - This committee's charge shall include the development of the Legislative/Political Action program for each year. A part of that Program shall include the education and involvement of the members in school board elections, local legislative and political action programs, as well as in DSEA and NEA's program.

2. Grievance Committee - This committee shall work to inform the members of the negotiated contract and assist them in the enforcement of its contract.

3. Public Relations Committee - This committee shall coordinate and facilitate member communications with the public and other external bodies. They will also publish a newsletter at regular intervals throughout the year. They have the responsibility of insuring that the members are kept informed and involved in the Association.

4. Membership Committee - This committee will insure that an ongoing year-round membership program is implemented. They also will be responsible for the accuracy of the membership records according to DSEA guidelines.

5. Minority Action Committee - This committee will develop and implement programs to promote the importance of multicultural education. They will also work to improve school/community relations with minority families.

6. Committees may include but are not limited to this list.

7. Each committee chair may miss no more than two of the scheduled building representative meetings and present a report.

If committee chair does not attend the required number of meetings the dues stipend will then be based on the percentage of the scheduled meetings they actually attended.

Ex. Committee chair attends 13 of 18 scheduled meetings, they shall then receive 72.2% of the dues stipend.

## Section 3: Committee Charges and Procedures

a. Each chairperson shall create a committee should the need exist. They will then be responsible for insuring that the committee members are notified in a timely manner concerning meetings;

and agenda is prepared: minutes are taken and provided to the President; and periodic reports are provided to the Executive Committee and the Representative Assembly upon the president's request.

b. By September, the president, with the assistance of the Executive Committee, shall provide each permanent and special committee with their

charges for the year. The committee may review the charges and may, with the approval of the President, modify, them. Timelines and specific expectations shall be included.

#### Section 4: Committee Chairs

The President shall, after consultation with the Executive Committee, and approval by the Representative Assembly, appoint the committee chairpersons. The chairpersons serve at the pleasure of the President and may be removed for good reason. For membership of all committees due regard shall be given to geographic representation, job assignment, ethnic minority representation, and other factors which will promote balanced membership involvement on the committees.

## ARTICLE X MEETINGS, QUORUM, AND APRLIAMENTARY AUTHORITY

#### Section 1: Meeting

a. Any member of the Local in good standing is entitled to attend any meeting of the Local, and may be invited to attend any committee meeting. Voting power shall be restricted to the duly elected delegates, members, or appointees of the body.

b. General membership meetings of the Local shall be called at the discretion of the President or by 2/3 vote of the Representative Assembly.

#### Section 2: Quorum

A majority of the authorized members shall constitute a quorum for the transaction of business for any elected body of the Local.

#### Section 3 : Parliamentary Authority

The most recent edition of Robert's Rules of Order: Newly Revised, with exceptions as provided by the bylaws, shall be the parliamentary authority in all official meetings of any bodies of the Local. These rules of procedure shall not be suspended, added to, or amended except by a two-thirds (2/3) vote of the members in attendance at any of the business sessions of any properly called body.

## ARTICLE XI BUDGET. FISCAL YEAR AUDIT

#### Section 1: Budget

The budget for the next fiscal year, along with the annual local dues amount, shall be adopted by the Representative Assembly prior to the close of school each year. The Representative Assembly, upon recommendation of the Executive Assembly, may change the budget in the fall to address planning/goals needs or a change in dues income.

#### Section 2: Fiscal Year

The fiscal year shall be the same as DSEA and NEA, September 1 to August 31.

#### Section 3: Audit

An audit shall be completed each year no later than 90 days following the close of the fiscal year. An external audit shall be completed by an outside auditor. The auditor shall review all expenditures, receipts and incomes and verify in writing his/her findings. This report shall be given to the Executive Committee upon completion. General findings shall be given to the Representative Assembly.

#### Section 4: Dissolution

In liquidation, dissolution or receivership or other termination of the existence of this corporation, either voluntary or involuntary, or by operation of law, and making provision for the payment of all the liabilities of the corporation, dispose of the total net assets of the corporation to any nonprofit entity organized for exempt purposes within the meaning of Section 501 © (5) of the Internal Revenue Code of the United States of America.

## ARTICLE XII MEMBER'S RIGHT TO FAIR TREATMENT

Each member of the Local shall have the right to fair treatment in the application of the bylaw's, rules and regulations of the Local. In matters relating to discipline of local Association members, the essential requirements of due process of law (notice, hearing, and judgment based upon the evidence) shall be observed, without, however, requiring the technical formality followed in courts of law.

## ARTICLE XIII INITIATING AND TERMINATING A JOB ACTION

A majority of the Executive Committee and representative Assembly must approve any job action (work stoppage) recommendation before a vote may be submitted to the general membership. A job action shall be initiated and terminated by a majority vote of the general membership. The results of the vote will be made known to all members.

## ARTICLE XIV AMENDMENTS

The Bylaws may be amended by a two-thirds (2/3) vote of the Representative Assembly provided that the President has received the proposed amendment at least 30 days prior to the meeting where the vote will be taken, and that the proposed amendment(s) have been distributed to the general membership at least fourteen (14) calendar days prior to the meeting. Amendments may only be considered at the October and April meetings of the Representative Assembly. The October and April requirements may be waived for organizational emergencies, but the amendment(s) require a three-fourths (3/4) vote of the Representative Assembly, and the 30 day and 14 day requirements must be met. Unless otherwise stated, the amendments shall be effective immediately following the

## ARTICLE XV

### **Indian River Education Association**

Representative Assembly adoption date: October 16, 2013