

Unknown;Rebecca Blume;**CONSTITUTION**

**ARTICLE I
NAME**

Section A.

The name of this organization shall be the Portsmouth City Teachers' Association.

Section B.

The Portsmouth City Teachers' Association, henceforth referred to as the Association, shall maintain affiliation with the Southeastern Education Association (SEOEA), the Ohio Education Association (OEA), and the National Education Association (NEA).

**ARTICLE II
PURPOSE**

Section A.

The purpose of the Association shall be:

1. To promote within the membership the highest type of professional practices, to encourage active participation of all teachers in the solution of school problems, to urge every member of the profession to be a progressive student of education, and to arouse allegiance to a genuine spirit of professional ethics.
2. To encourage higher qualifications for entrance into the teaching profession, to promote teacher participation in school management, to aid in securing and maintaining adequate salaries, sound retirement systems, and such other improvements in conditions as will enable teachers to function properly as a vital factor in educational progress.
3. To promote, encourage, and assist other National Education Association affiliated local organizations of teachers and to promote cooperation among such organizations and other members thereof.
4. To encourage teachers to exercise their rights and privileges as citizens and to accept, willingly, leadership in civic affairs.
5. To help set and promote the educational objectives of the local school system and of the state and of the nation.

**ARTICLE III
MEMBERSHIP**

Section A. Active Members

1. Active membership in the Association shall be open to all classroom teachers employed by the Portsmouth City School District who agree to abide by the Code of Ethics of the Education Professional.
2. For the purpose of this constitution, the term classroom teacher shall be defined as those certificated persons hired to spend at least one half of every school day in the act of instructing the students of the Portsmouth City Schools.
3. Also included, however, are librarians, guidance counselors, resource teachers, school nurses, technology coordinators, P.E.P. coordinator, and student service facilitator / teacher.
4. Active membership shall be continuous until the member leaves the school system, chooses to become a fair share member, or is suspended under the provision of Article III, Section C of this constitution.
5. Active members shall be members of the Portsmouth City Teachers' Association (PCTA), Southeastern Education Association (SEOEA), Ohio Education Association (OEA), and the National Education Association (NEA).

Section B. Associate Members

1. Persons employed by the Portsmouth City School District who are not eligible to become active members of the Association because of retirement may, upon payment of dues, enroll as associate members.

2. Associate members may hold membership for life, paying such annual dues as the Representative Council may determine.

3. Associate membership shall be open to substitute teachers of the Portsmouth City School District. Such members shall have a voice but not a vote in Association matters.

Section C. Revocation of Membership

According to the procedure adopted by the Representative Council, the Executive Board may suspend from membership or expel any member who shall have violated the ethics of the education profession. Also, the Representative Council may cancel the membership of any member convicted in a court of law of a crime involving moral turpitude. The Representative Council may reinstate a member who has previously been suspended or expelled from the Association.

ARTICLE IV OFFICERS

Section A. Officers

The Officers of the Association shall be the President, First Vice President, Second Vice President, Secretary, and Treasurer.

Section B. Terms

All Officers shall hold office for a one-year term.

Section C. Succession

The officers shall serve for one year and may be re-elected without an intervening term. The President shall be allowed to serve a maximum of two consecutive terms.

ARTICLE V EXECUTIVE BOARD

Section A. Membership of the Executive Committee

1. The Executive Committee shall be composed of the officers of the Association and seven members elected at large. It shall be the executive authority of the Association.

2. In order to qualify for president of the Portsmouth City Teachers' Association, the nominee must have served on the Representative Council for at least two years, need not be consecutive, and have attended one-half of the council meetings in the school year of the nomination.

Section B. Powers of the Executive Committee

The Executive Committee shall:

1. Act as advisors to the officers and have such policy-making authority as provided in this Constitution and Bylaws.
2. Act as the authoritative voice of the Association on positions affecting the Association during the interim period between regular meetings.
3. Prepare recommendations for the consideration and action of the Association.
4. Carry out policies established at general membership meetings.
5. Direct an independent audit of the Association's financial records at regular intervals not to exceed two (2) years.
6. Whenever two-thirds of the Executive Board shall agree that an officer has been grossly negligent of the duties defined in the by-laws or is incapacitated, they shall recommend to the Representative Council that the office be declared vacant.

ARTICLE VI REPRESENTATIVE COUNCIL

Section A.

The legislative body of the Association shall be the Representative Council.

Section B.

The Representative Council shall consist of the Executive Board and one or more building representatives from each school.

Section C.

Any member of the Association who is not a member of the Representative Council may attend its meetings.

**ARTICLE VII
ELECTIONS**

Section A. Nominations

1. 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.

2. The active members of the Association in each building during the month of March may nominate a candidate for President, First Vice President, Second Vice President, Secretary, Treasurer, and Members at Large. The building representative shall deliver all nominations in writing to the Elections Committee.

3. The Elections Committee shall report nominations to the Representative Council at the April meeting. Members of the Council may nominate other candidates from the floor; however, no member shall be nominated for office without the knowledge and consent of the individual.

Section B. Balloting

On the first school day in May, members shall vote for officers by secret ballot, in accordance with procedures developed by the Elections Committee and approved by the Representative Council. Provisions for write-in candidates shall be made on the ballot for each office. The Election Committee shall report results to the President who shall cause them to be published. New officers shall assume the powers of their offices on June 1.

Section C. Ballots

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 D. Voting Privileges

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

**ARTICLE VIII
IMPEACHMENT OF OFFICERS**

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.

**ARTICLE IX
VACANCIES**

If a vacancy occurs for any reason, the President shall appoint a person to fill the unexpired term. The person will take office upon a two-thirds affirmative vote of the Representative Council, except that if the President resigns, the First Vice President will move into the office. Should both offices of the President and First Vice President be vacated simultaneously, the Executive Board shall elect from its membership persons to fill those offices until the next regular election. If the office of the first vice president becomes vacant, an election will be held immediately by the Executive Board to fill the office.

**ARTICLE X
COMMITTEES**

Section A.

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

Section B.

Ad hoc (temporary) committees may be formed as necessary to achieve the Association program.

Section C.

All committees shall be appointed by the President with the approval of the Executive Committee.

**ARTICLE XI
DUES**

Section A.

The local association shall have a dues structure adequate to fund an active program. The dues rate shall be established according to Bylaws Article†X.

**ARTICLE XII
AMENDMENTS**

Section A.

An amendment to this constitution may be introduced at any meeting of the Representative Council. Should the amendment receive a favorable two-third majority vote from the Representative Council, it must be presented to the general membership at an election to be held no sooner than two weeks after being recommended by the Representative Council.

Section B.

The amendment will be adopted by the general membership at an election where a two-thirds majority of those voting favor adopting the proposed amendment.

Section C.

Amendments must be voted upon by ballots sent to individual members.

**ARTICLE XIII
RATIFICATION**

Section A.

This constitution shall be ratified by the general membership at an election where a two-thirds majority of those voting favor ratifying the proposed Constitution.

Section B.

This Constitution will become a part of the rules and order of the Association immediately after it is ratified.

Section C.

All officers, building representatives, committee members, and committee chairpersons currently serving the Association shall hold their positions until the end of their current terms of office.

BY-LAWS

ARTICLE I

MEETINGS

Section A.

The Executive Committee and Representative Council shall meet monthly, throughout the school year, at the call of the President, or at the request of three (3) members of the Executive Committee to the President.

Section B.

The general membership meetings shall be held at least once each semester. Additional meetings may be called by the President, a majority vote of the 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.

ARTICLE II

SELECTION OF DELEGATES OF OEA AND/OR NEA REPRESENTATIVE ASSEMBLY

Section A.

All delegates and alternate delegates of the OEA and/or NEA Representative Assembly will be selected in accordance with the provisions of the Ohio Education Association Constitution, Bylaws, or standing rules of the Representative Council.

Expense money paid by the OEA or NEA or the district shall be used for the sole purpose of paying the expenses of the delegates. PCTA shall pay only the hotel, meals, and mileage (if applicable) to the OEA RA. To the NEA RA, PCTA shall give the delegate a \$250 allowance.

Section B. Designation of the President

By virtue of the office, the President of the Association is designated by the Association as delegate to the OEA Representative Assembly as provided by the OEA Constitution.

ARTICLE III

QUORUM

Section A.

The quorum for the Executive Committee and Representative Council meetings shall be one more than fifty (50) percent.

Section B.

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

ARTICLE IV

VOTING

A motion to provide for the manner of voting may be made at any time before a vote is taken by the members of the Representative Council and Executive Board.

ARTICLE V
DUTIES OF OFFICERS AND DUES REIMBURSEMENT

Section A. President

1. Preside over all Association meetings and prepare the agenda.
2. Represent the Association on all matters of Association policy.
3. Serve as ex-officio member of all Association committees.
4. The President shall appoint the chairperson of standing and special committees.
5. The President shall represent the Association before the public, either personally or through delegates, and shall perform all other functions usually attributed to this office.

Section B. First Vice - President

1. Preside over Association meetings in the absence of the President.
2. Perform such other duties as delegated by the President.
3. This person shall become President if the Presidency becomes vacant during a term in office.

Section C. Second Vice - President

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

Section D. Immediate Past President

The Immediate Past President shall advise the Executive Board and assist the President at his/her request.

Section E. Secretary

1. Keep accurate minutes of all official meetings of the Association.
2. Maintain official files of the Association.
3. Perform such other duties as delegated by the President.

Section F. Treasurer

1. Hold the funds of the Association and disburse them upon authorization of the Executive Committee.
2. Maintain records of receipts and disbursements.
3. Maintain membership rolls.
4. Prepare financial reports for meetings of the Executive Committee and an annual financial statement to be distributed to the membership.
5. Prepare for an independent audit as authorized by the Executive Committee.
6. Chair the Budget Committee.
7. Transmit amount due to the Ohio Education Association.

Section G. Association Representative

1. In each public school in the Portsmouth City School District, faculty members who are members in good standing of this Association shall elect for a term of two years one Building Representative to the Representative Council for fifteen (15) members or major fraction thereof. There shall be at least one such Representative from each building.
2. Building Representatives shall attend the regular meetings of the Representative Council. After three (3) consecutive absences, the President may declare this seat vacant and call for a building election to complete the term. The President may designate a member of good standing to organize this special election.

3. The Building Representative shall call faculty meetings of the Association members to discuss Association business, shall appoint such faculty committees as the Association may require, and shall organize and oversee the subsequent elections and enrollment of members in the Association.

4. The one-person, one-vote shall be applied to the local representative governing body. That is one (1) representative for every fifteen (15) members. There shall be elected to the governing body representation of ethnic minority at least proportionate to the ethnic minority of membership in PCTA.

5. Act as a consultant to the individual member who has a professional problem, when necessary, seek needed assistance from the Association.

6. Attend all official meetings of the Association or provide an alternate in his/her absence.

Section H. Dues Reimbursement

1. The President shall receive \$1,000 plus actual and necessary expenses during the term of office. The secretary shall receive \$200. The iNewsletteri editor shall receive \$100. The Treasurer shall receive \$200.

2. If negotiations take place during the year, the chairperson, of the PCTA Negotiations Team shall receive \$400 (excepting in those instances when the consultant acts as negotiations chairperson). The two members of the Negotiations Team shall receive \$300 remuneration each. Any remuneration may be returned to the Association.

3. The President, Secretary, Treasurer, and iNewsletteri Editor shall be paid 1/2 at the December meeting and the second 1/2 at the May meeting.

4. The Negotiations Chairperson and two Negotiators shall be paid at the completion of negotiations.

5. Each building representative and nonpaid officer shall receive \$5.00 per attendance at Representative Council meetings. This will be paid at the May meeting.

ARTICLE VI

POWER OF THE EXECUTIVE COUNCIL

The Executive Council shall be responsible for the management of the Association, approve all expenditures, carry out policies, report its transactions, and those of the council to the members, and suggest policies for consideration by the council.

ARTICLE VII

POWERS OF THE REPRESENTATIVE COUNCIL

The Representative Council shall approve the budget, establish dues rate for the succeeding year, act on reports of committees, may adopt such rules governing the conduct of the Association, and the conduct of meetings as are consistent with this Constitution and Bylaws. Powers not delegated to the Executive Board, the offices, or other groups in the Association shall be vested in the Representative Council.

ARTICLE VIII

STANDING COMMITTEES

Section A.

There shall be the following committees carrying the specific functions outlined below. Each committee may, with the approval of the President, organize special sub-committees and task forces for specific activities from the membership of the Association. Each committee shall meet as needed and shall keep a continuing record of activities. Chairperson will report as necessary to the Representative Council.

1. 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.

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

3. Instructional and Professional Development (IPD) - pre-service, continuing, and in-service educational opportunities

4. Public Relations / Communication - promotion of understanding, unity, and communication among all groups in the school, school district communities, membership newsletter, and press releases.
5. Legislative - candidate endorsement/campaigning, EPAC fund collections, levy/bond campaigning, seek membership involvement in relevant local, state, and national political affairs.
6. Budget - prepares a budget giving estimates of income and expenditures (including a separate estimate for each committee) for the future fiscal year.
7. Audit - checks accuracy of accounting procedures.
8. Elections - charged with the responsibility to protect the integrity of an election or vote and insure that an election is conducted in accordance with the local, state, and national constitution.
9. Local Professional Development Committee (LPDC) - to ensure that professional development aligns with the ongoing continuous improvement of the district and its schools, to oversee and review the individualized professional development plans, to provide a mechanism throughout which district educators can maintain professional credentials and participate in meaningful professional development activities, improve student achievement, and to fulfill such other purposes as may be required by Section 3319.22 of the Ohio Revised Code.

Section B. Assignment of Committees

With the exception of the LPDC, the Executive Board shall assist the President in appointing members of the Standing Committees at the September meeting, and in filling all unexpired terms as vacancies occur. It shall review committee plans as necessary and shall decide any jurisdictional arguments.

In regard to the Local Professional Development Committee, an election will be held the first working day of May to elect the members of the LPDC according to the negotiated agreement (Article 38).

ARTICLE IX NEGOTIATIONS TEAM BARGAINING AND CONTRACT RATIFICATION

Section A.

The Association shall be represented in collective bargaining by an authorized team of Association Representatives appointed by the President and Executive Committee. This group shall be known as the Negotiations Team.

1. If the President is not an active member of the Negotiations Team, the President will be an ex-officio member of the Association's Negotiations Team.
2. Necessary sub-committees may be appointed, as needed, by the committee chairperson.
3. The Negotiations 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.
4. While negotiations are in progress, periodic reports to members may be made by the Negotiations Team.

Section B.

In preparation for bargaining, the Negotiations Team may make reports and recommendations to the Executive Committee.

Section C.

The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).

1. The OEA/NEA Labor Relations Consultant shall be the Association's designated representative for the purpose of dealing with SERB.

Section D.

Written copies of the tentative agreement summary should be given to the general membership prior to ratification.

Section E.

A vote on a tentative agreement to the contract or on a fact-finding report shall be made by written ballot.

1. No absentee or proxy votes will be allowed on contract ratification votes or fact-finding reports.
2. The first vote on contract ratification or a fact-finding report will be to accept or reject the contract/report as presented.
3. All ballots used in a vote regarding a contract ratification or fact-finding report, after tabulation, will be sealed and retained by the Association for three (3) years or duration of contract, whichever is greater.
4. The President will communicate required details of the ratification vote to the employer's designated representative.

Section F.

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).

**ARTICLE X
DUES**

Section A.

The dues rate for the succeeding year shall be determined by the April meeting of the Executive Committee.

Section B.

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

Section C.

The Association shall annually enter into a Dues Transmittal Contract with the Ohio Education Association.

**ARTICLE XI
MEMBERSHIP YEAR**

The membership year of the Association shall be September†1 to August†31.

**ARTICLE XII
AUTHORITY - PARLIAMENTARY PROCEDURE**

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.

**ARTICLE XIII
AMENDMENTS**

Section A.

An amendment to the by-laws may be introduced at any meeting of the Representative Council. Should the proposed by-law receive a favorable two-third majority vote from the Representative Council,

it must be presented to the general membership at an election to be held no sooner than two weeks after being recommended by the Representative Council.

Section B.

The by-law will be adopted by the general membership at an election where a two-thirds majority of those voting favor adopting the proposed by-law.

Section C.

Amendments must be voted upon by ballots sent to individual members.

Section D.

Changes shall be proposed upon the initiative of the Constitution Committee (an ad hoc 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.

**ARTICLE XIV
RATIFICATION**

Section A.

These by-laws shall be ratified by the general membership at an election where a two-thirds majority of those voting favor ratifying the proposed Constitution.

Section B.

These by-laws will become a part of the rules and order of the Association immediately after it is ratified.

Section C.

All officers, building representatives, committee members, and committee chairpersons currently serving the Association shall hold their positions until the end of their current terms of office.

**ARTICLE XV
DISSOLUTION OF THE ASSOCIATION**

Section A.

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 B.

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 C.

The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.

Section D.

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 E.

In the even of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to the Portsmouth City Teacheris Scholarship Fund provided that it is an entity recognized as exempt from Federal taxation. In the event that Portsmouth City Teacheris Scholarship Fund is not then recognized as tax exempt, such assets shall then pass to Our Schools Are Number One (OSANO) of the Portsmouth City Schools, provided that is recognized as exempt from Federal taxation.

ARTICLE XVI
ENABLING PROVISION

Section A.

This Constitution and these Bylaws shall become effective March 31, 1999 following their adoption, and shall remain in effect until amended according to regulations herein provided.