

KENTUCKY FIRST DISTRICT EDUCATION ASSOCIATION

CONSTITUTION

ARTICLE I

Name

This organization shall be known as the Kentucky First District Education Association, a district affiliated with and a part of the National Education Association. It will include the counties of Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken, Trigg, Fulton Independent, Mayfield Independent, Murray Independent, Paducah Independent and eligible units defined by the Constitution of the Kentucky Education Association included in these counties.

ARTICLE II

Purpose

Section 1. The purpose of this organization shall be the formation of a closer union of all members of the teaching profession of the Kentucky First District Education Association and of the National Education Association, the advancement of the ideals and standards of the teaching profession, and the promotion of the educational welfare of the district, state, and nation.

Section 2. The provisions of this Constitution shall not be construed to conflict in any way with the Constitution of the Kentucky Education Association, of which this organization is an integral part. In the event of apparent conflict, the provisions of the Constitution of the state organization shall prevail.

ARTICLE III

Membership

Section 1. Active members. Any person who is employed in a position for which certification is required in any public school in the First District and who is eligible to become a member of the Kentucky Education Association will become a unified member of the teaching profession and this organization upon payment of dues to KEA.

Section 2. Retired Members. Any person who was a member of the Association at the time of retirement or who receives retirement benefits from the Kentucky Teachers' Retirement System shall become a retired member of this organization upon payment of annual KRTA/KEA dues.

ARTICLE IV

Officers, Executive Committee and Board of Directors

Section 1. The elected officers of this Association shall be a President, President Elect, and Secretary. The Treasurer shall be appointed by the Board of Directors.

Section 2. Other persons to be elected are the members of the Board of Directors of the Kentucky Education Association and one members and one (1) alternate to each of the Kentucky Education Association Standing Committees, consistent with the provisions of the KEA Constitution, Bylaws and Standing Rules.

Section 3. The Executive Committee shall consist of the First District Officers, KEA committee members, any First District KEA member elected to a KEA or NEA position, district PAC chair, and, as a non-voting member, the treasurer. Refer to by-laws Article VIII, Section 7.

Section 4. The Board of Directors shall consist of the following:

- a. The members of the Executive Board
- b. One elected officer from each local association in First District affiliated with KEA
- c. One additional elected officer from each local with three hundred (300) or more active members in First District affiliated with KEA
- d. One elected KEA-R member
- e. One elected KEA Student member

Section 5. There will be at least one staff director as assigned under KEA guidelines for services to members of this organization.

ARTICLE V

The First District Delegate Assembly

Section 1. The Delegate Assembly shall be composed of the First District Board of Directors, elected KEA Delegates, elected by the ratio of 1:50 or major fraction thereof, and alternates from each eligible school district or unit.

Section 2. A list of elected KEA Delegates and alternates must be in the First District KEA office thirty (30) days prior to the First District Delegate Assembly held in the spring before the KEA Delegate Assembly.

Section 3. Voting at First District Delegate Assembly. Only the following people will be eligible to vote at the First District Delegate Assembly: the First District Board of Directors and KEA Delegates elected in compliance with Sections 1 and 2 of this article. If a Delegate cannot attend, an alternate who is elected in compliance with Sections 1 and 2 of this article shall be seated with full voting rights. If a member of the Board of Directors is also a KEA Delegate, he/she will vote as a Delegate.

ARTICLE VI

Meetings

Section 1. Delegate Assembly will be held on the last Thursday evening in March each year.

ARTICLE VII

Fiscal Year

Section 1. The fiscal year and membership year shall run concurrently. The year shall begin on September 1 and end on August 31.

ARTICLE VIII

Amendments

Section 1. Amendments to this Constitution may be made at a meeting of the Delegate Assembly by a two-thirds vote of the members present, provided such amendment has been publicized.

Section 2. No amendment shall be in conflict with the Constitution of the Kentucky Education Association.

BY-LAWS

ARTICLE I

Membership Dues

Section 1. Active Members. Dues for membership in this organization with dues for the membership in the State Association and the National Association shall be paid simultaneously to the Kentucky Education Association.

ARTICLE II

Duties of Officers

Section 1. The President shall be chairman of the Executive Committee Board of Directors, shall preside over meetings of the Delegate Assembly, and all meetings of this organization. The President shall

appoint the members of all First District committees - standing and special - and shall perform such other duties as usually devolve upon such an officer.

Section 2. The President-Elect shall assist the President and shall preside in the absence of the President.

Section 3. The Treasurer shall work under the supervision of the Board of Directors and shall pay out such funds as ordered by the Board of Directors or as ordered by the Association fiscal procedures.

The Treasurer shall furnish such bonds as the Board of Directors shall require, the expenses of premiums thereon being paid by this organization and shall perform such other duties and functions as may be determined by the Board of Directors or Delegate Assembly.

At the close of each fiscal year, the Treasurer shall file a financial statement of receipts and disbursements with the Executive Secretary of the Kentucky Education Association. An itemized statement of receipts and expenditures shall be presented to the Board of Directors at each meeting and recorded in the permanent records of the organization.

Section 4. The Secretary shall work under the supervision of the Board of Directors and shall keep an accurate record of the proceedings of the Delegate Assembly, Executive Committee and of the Board of Directors.

The Secretary or his/her designee shall inform the members of the Kentucky First District Education Association of the plans of the general meeting at least fifteen (15) days prior to the meeting.

The Secretary shall compile a list of certified Delegates and alternates to serve at the Kentucky First District Education Association Delegate Assembly.

The Secretary shall have charge of the registration of Delegates, preparation and issuance of ballots to qualified Delegates, and the counting of ballots under the supervision of the Board of Directors.

Section 5. The President, President-Elect, and Secretary shall be Delegates to KEA Delegate Assemblies.

Section 6. The Kentucky Education Association Directors from this District shall serve as the chief coordinators between the Kentucky First District Education Association and the Kentucky Education Association.

They shall attend the meetings of the Board of Directors of the Kentucky Education Association and represent this organization in the deliberations of that body.

They shall keep this organization informed about the policies and programs of the Kentucky Education Association.

In the event that one or both KEA Directors from FDEA are unable to attend any meeting of the KEA Board of Directors, an alternate or alternates may attend the meeting to represent FDEA. The President of

FDEA shall be the first designated alternate as needed and the President-Elect shall be the second designated alternate as needed.

Section 7. The duties of the Kentucky Education Association Committee members shall be to represent the Kentucky First District Education Association in the activities of the committee and report to the Board of Directors as to the proceedings of each committee meeting.

ARTICLE III

Responsibilities of the Staff Members

Section 1. The local UniServ Staff members' responsibilities shall be mutually and contractually developed to include, but not be limited to the following areas:

- a. To assist his/her designated local associations within the UniServ unit to implement their goals and programs.
- b. To maintain and operate an efficient UniServ office.
- c. Negotiations assistance.
- d. Public relations assistance.
- e. Assistance to political action groups.
- f. Resolution of member grievances.
- g. To strive constantly to implement and pursue the goals of the Kentucky and National Education Associations.
- h. Staff liaison between state, national and local.
- i. Attend all state staff meetings.

ARTICLE IV

Board of Directors

Section 1. The Board of Directors shall act for the organization ad interim. It shall make or cause to be made all arrangements for the Delegate Assemblies.

It shall appoint the Treasurer for a term of not more than two years and fix compensation, if any. The Treasurer may succeed himself/herself.

It may appoint other persons for special assignments.

It shall perform such other duties as are necessary for the welfare of this organization or such as are delegated to it by the Delegate Assembly.

It shall be involved with KEA and NEA in the employment, evaluation, dismissal, transfer, supervision, and direction of the professional staff as specified in the UniServ agreement and the KEA Board Policy.

Section 2. Officers and members of the Board of Directors of the Association may be impeached for misfeasance, for malfeasance, or for nonfeasance in office.

- a. Impeachment proceedings against an officer or member of the Board of Directors may be initiated by written petition submitted to the Board of Directors by at least five (5) percent of the members.
- b. If, after a due process hearing, a two-thirds (2/3) vote of the Board of Directors shall sustain the charge, the office shall become vacant.
- c. The officer may appeal the decision to a special meeting of the Delegate Assembly. A 2/3 vote of the Delegate Assembly shall sustain the charge.

Section 3. The Association shall make every effort to encourage the nomination and election of ethnic-minority members as officers or as members of the Board of Directors. In the event that the Board of Directors has fewer ethnic-minority members than is proportional to the percentage of ethnic-minority members in the district, the Board of Directors shall create the necessary additional office(s) and the President shall appoint a Nominating Committee which shall call for the nominations of ethnic-minority members. All members shall have the right to offer such nominations. The Delegate Assembly at its next meeting, shall elect the necessary ethnic-minority members.

~~Section 4. The Board of Directors shall be composed of the same proportion of classroom teachers and administrators as exist within the membership. In the event that the Board of Directors does not reflect that proportionality, the Board shall create sufficient new offices to achieve proportionality. All members shall have the right to offer eligible nominations for the new office(s) and the Delegate Assembly at its next meeting, shall vote by secret ballot for the new officers.~~

The Board of Directors shall consist of the following:

- 1) The members of the Executive Board
- 2) One elected officer from each local association in First District affiliated with KEA
- 3) One additional elected officer from each local with three hundred (300) or more active members in First District affiliated with KEA
- 4) One elected KEA-R member
- 5) One elected KEA Student member.

ARTICLE V

Duties of Delegate Assembly

Section 1. The Delegate Assembly shall act as the legislative body of the association and shall recommend and adopt policies and activities which shall be pursued by the association. It may recommend to the Board of Directors any procedures or activities which it considers wise.

Section 2. The Delegate Assembly shall elect a President-Elect and Secretary at the spring annual meeting.

Section 3. It shall elect Directors to the Kentucky Education Association Board, and the Kentucky Education Association Committee members, and a member of the Nominating Committee for the Teacher's Retirement System as specified by the Kentucky Education Association Constitution or the Kentucky Education Association Regulations.

Section 4. It shall hear reports from the President, Secretary, Treasurer, KEA Board members, staff director, all standing committees, and such other committees as have been appointed.

ARTICLE VI

Meetings of Board of Directors, Executive Committee and Delegate Assembly

Section 1. The Board of Directors shall meet on call of the President, of a majority of the Executive Committee, or at the request of a majority of its members.

Section 2. The time and place of the Delegate Assembly shall be determined by the Board of Directors.

Section 3. The Board of Directors may call a special session of the entire membership and/or Delegate Assembly of the organization for a stated purpose.

Section 4. The Executive Committee shall meet on call of the President or a majority of members.

The Executive Committee shall act for the Association between meetings of the Board of Directors.

Any action of the Executive Committee shall be subject to approval by the Board.

ARTICLE VII

Committees

Section 1. There shall be the following standing committees: Budget Committee and Minority Affairs Committee.

ARTICLE VIII

Nominations and Elections

Section 1. Candidates for elective positions in Article IV of the Constitution and Article V of the By-Laws shall be nominated from the floor at the regular meeting of the Delegate Assembly.

Section 2. One nominating speech of up to two minutes per nominee is permissible. Speeches by candidates shall not exceed three minutes.

Section 3. Election shall be by secret ballot of the eligible voters according to the First District Constitution Article V, Section 3 of the Delegate Assembly. (In case there is only one candidate, the Secretary may be instructed to cast the ballot.)

Section 4. Voting for each office shall be at the March meeting of the Delegate Assembly directly after all candidates to that office have been heard.

Section 5. The candidate having the highest number of votes shall be declared elected. **The candidate with the second highest number of votes shall be declared the alternate. In the event, there is only one candidate, a second election will be held to determine the alternate.** In case of a tie, the Board of Directors shall elect from the candidates.

Section 6. All persons elected to positions shall take office July 1 following the spring Delegate Assembly. Persons elected to Kentucky Education Association committees or Board of Directors shall assume office as stated in the Kentucky Education Association Constitution and By-Laws.

Section 7. No person shall hold two offices in this association at the same time except President, President-Elect and Secretary who may also hold one elected position at state level. No officer, except the Treasurer, shall receive compensation for services, if the Board directs.

~~Section 8. Election appeals to the KEA Board and Review Board may be made within (10) days following the election by a candidate who believes he/she has proof of an improperly conducted election for the office for which he/she was a candidate. Said appeal should be sent to the KEA President. Candidates elected to office shall assume their respective duties until a successful appeal is confirmed by the KEA Board of Directors and Review Board and returned to the local/district for disposition.~~

Appeals of Elections at Local level

A voting member of a local association who feels that the election has not been in accordance with the election criteria of their local constitution and has not been resolved at the local level may issue an appeal to the First district Board of Directors in the following manner:

- a. An appeal must be made within ten (10) working days after the decision at the local level has been rendered.**
- b. The appeal which must be in writing and must state the exact criteria allegedly violated**

shall be presented to the district president

- c. The appeal must be signed by the candidate or a member. A copy of the challenge shall be presented to the local president.**
- d. Within ten (10) working days of receiving the appeal, the district president shall call a meeting of the board of directors for the purpose of hearing the appeal.**
- e. The board of directors may call witnesses or take written signed statements from both parties to the question.**
- f. The district board shall guarantee that all parties to the appeal will be given equal opportunity to present their case.**
- g. The district board will make a decision and inform all parties.**
- h. If any party is not satisfied with the decision of the district board, he or she may appeal the decision to the KEA Executive Committee.**

Appeals of Elections at the District Level.

The appeal process for any elected district position shall be the same as that for the KEA Board of Directors and standing committees.

- a. A challenge shall be made within ten (10) working days after the election has been certified by the district secretary.**
- b. The challenge which shall be in writing and shall state the exact section of the KEA Constitution and Bylaws allegedly violated shall be presented to the KEA President.**
- c. The challenge shall be signed by the candidate or a member. A copy of the challenge shall be presented to the district president.**
- d. Within fifteen (15) working days of receiving the challenge, the KEA President shall call a meeting of the KEA Executive Committee for the purpose of hearing the challenge.**
- e. The Executive Committee may call witnesses or take written signed statements from both parties to the question.**
- f. The Executive Committee shall guarantee that all parties to the challenge will be given equal opportunity to present their case.**
- g. The Executive Committee shall make a decision and inform all parties.**
- h. If any party is not satisfied with the decision of the Executive Committee, he or she may appeal the decision to the Board of Directors.**
- i. Notice of the appeal shall be presented to the KEA President in writing within ten (10) working days of receipt of the notice from the Executive Committee.**
- j. The appeal shall be presented at the next regularly scheduled meeting of the KEA Board of Directors.**

Challenges of Elections at the District Level should be resolve by the district board of directors.

Candidates elected to office shall assume their respective duties until a successful appeal is confirmed by the KEA Executive Committee or the KEA Board of Directors and returned to the local/district for disposition.

ARTICLE IX

Vacancies

Section 1. In case of a vacancy in any office, the Board of Directors shall fill the vacancy by appointment. Such appointees shall serve until the next meeting of the Delegate Assembly when the vacancy shall be filled by election for the unexpired term.

- a. **In the event an elected member cannot attend a scheduled Executive Board and/or Conclave meeting the alternate may attend. However, absence of the elected member from three (3) consecutive meetings shall constitute resignation.**

ARTICLE X

Amendments

Section 1. These by-laws may be amended at any meeting of the Delegate Assembly by a majority of those present and voting. No amendment shall be in conflict with the Constitution of the Kentucky Education Association.

ARTICLE XI

Quorum

Section 1. A quorum for the Board of Directors, Executive Committee, and Delegate Assembly shall be those members present.

ARTICLE XII

Parliamentary Authority

Section 1. Robert's Rule of Order, Revised, shall be the authority on parliamentary law, in meetings of the Executive Committee, the Board of Directors, the Delegate Assembly, and the general organization meetings.

(Revised Constitution & By-Laws - Delegate Assembly December 10, 1975)
(Revised - Delegate Assembly May 25, 1977)
(Revised - Delegate Assembly April 4, 1978)
(Revised - Delegate Assembly October 13, 1978)
(Revised - Delegate Assembly March 26, 1981)
(Revised - Delegate Assembly October 8, 1981)
(Revised - Delegate Assembly October 7, 1982)
(Revised - Delegate Assembly October 13, 1983)
(Revised - Delegate Assembly March 28, 1984)
(Revised - Delegate Assembly October 11, 1984)
(Revised - Delegate Assembly March 26, 1987)
(Revised - Delegate Assembly March 30, 1989)
(Revised - Delegate Assembly March 26, 1992)
(Revised - Delegate Assembly March 31, 1994)
(Revised - Delegate Assembly March 28, 1996)
(Revised - Delegate Assembly May 12, 1999)
(Revised - Delegate Assembly March 30, 2000)
(Revised - Delegate Assembly March 30, 2006)
(Revised - Delegate Assembly March 27, 2008)
(Revised - Delegate Assembly March 25, 2010)