

KEA CONSTITUTION, BYLAWS AND STANDING RULES

(Updated through the 2018 DA)

ARTICLE II. MEMBERSHIP

Section 2. Membership Eligibility, Provisions, and Limitations.

B-2.1. Classes.

- a. *There shall be seven (7) classes of membership in the Association: Active, Retired, Associate, Staff, Student, Substitute, and Reserve.*
- b. *Active membership shall be open to any person who is actively engaged in educational work in the Commonwealth of Kentucky; who is on limited leave of absence from professional education work; or who is serving as an executive officer of the Association or of a local affiliate. The Association shall continue to allow Active membership to those Active members who have been discharged for as long as a legal challenge to such discharge is pending. Active membership is limited to persons who support the Purposes, Goals, and Objectives of the Association and maintain Active membership in the National Education Association and local affiliate where eligible.*
- c. *Retired membership shall be open to any retired public school employee and any retired KEA employee. Active members whose retirement is effective on or after January 1, 2007, shall be KEA/NEA Retired members for life.*
- d. *Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Association.*
- e. *Staff membership shall be open to any person employed by the Association or any of its affiliates in a professional staff position.*
- f. *Student membership shall be open to any student enrolled in or preparing for a teacher education program in an accredited college or university.*
- g. *Substitute membership shall be open to any person employed on a day-to-day basis who would otherwise be eligible for Active membership. Substitute membership is limited to persons who maintain Substitute membership in the National Education Association and local affiliate where eligible.*
- h. *Reserve membership shall be open to any person who has been granted a leave of absence of at least six (6) months but no more than two (2) years and was an Active member in the Association, at the time of being granted the leave, but whose employment status no longer qualifies that individual for such membership.*
- i. *District association membership shall consist of those Active members who carry out their educational work of a professional nature within the boundaries of that district education association. KESPA district membership shall consist of those Active members who carry out their education support work within Kentucky.*
- j. *Local association membership shall consist of those Active members who carry out their educational work of a professional nature within the boundaries of the school system in which the local association is located; or who carry out their educational support work within the boundaries of the school system in which the local association is located. Active members who are eligible for membership in an affiliated statewide local must be members of the statewide local and shall pay applicable dues, provided however that those members shall also be eligible to become members of their geographic local upon payment of local dues. Active members who have been discharged from the local school system shall remain members of the local association by payment of NEA, KEA and local association dues for as long as a legal challenge to such discharge is pending. Active members who are employed within one school system have the option of forming one local whose membership is made up of all Active members who carry out educational work of either a professional or a support nature.*

ARTICLE III. DELEGATE ASSEMBLY

Section 1. Accountability. The Delegate Assembly, comprising members of the Association, derives its powers from and shall be responsible to the membership.

Section 2. Allocation of Delegates.

- a. Representation shall be based on the following schedule: one delegate for each local association having fifty (50) Active members or major fraction thereof and one additional delegate for each fifty (50) Active members or major fraction thereof. In situations where the membership is too small to justify a delegate, local associations within district associations may combine their memberships for the purpose of delegate authorization.
- b. In cases where there are fewer than twenty-six (26) Active members, one delegate may be elected provided there is a membership of at least ten (10) and this represents at least fifty (50) percent of those eligible.

- c. Each two or four-year college or university engaged in teacher education which has an active local education association and in which fifty (50) percent or more of the teacher education instructors are members of the Association shall have at least one delegate, or in the alternative, the number of delegates permitted under other provisions listed in this section.
- d. Student members shall be represented by one voting delegate for each one hundred (100) members or major fraction thereof in the Kentucky Student Program.
- e. KEA-Retired members shall be represented by one voting delegate for each one hundred fifty (150) members or major fraction thereof in KEA-Retired.
- f. Ethnic minority representation shall be at least equal to the proportion of ethnic minority population within the school district served by the affiliate. If a local affiliate fails to comply with this provision, the Delegate Assembly may refuse to seat its delegation.
- g. Administrators shall be represented in proportion to their membership in the Association.
- h. Provision for representation, with or without the power to vote, may be included in the Bylaws.

B-3.1. Allocation of Delegates.

- a. *Allocation of delegate credentials shall be based on the pledged or paid Active membership as of November 15 of the current year.*
- b. *No person shall be qualified to serve as a delegate to the Delegate Assembly who has not pledged or paid the Association dues on or before November 15. No person can serve as a delegate who has not paid the dues on or before March 15, except one who is a member under the Automatic Payment Authorization Plan where dues are paid during the year over a period of months.*
- c. *The presidents of affiliated local associations, or associations in institutions of higher education, the affiliated retired association, and the Kentucky Student Program shall submit lists of duly elected delegates and alternates to the Executive Director of the Association on or before November 30 of the school year in which the annual meeting is held.*
- d. *Alternates shall be elected at the same time as delegates and shall meet the same requirements as delegates.*
- e. *Alternates shall not be limited in number and shall be called to serve according to rank which is determined by the number of votes received in their local elections.*

Section 3. Election of Delegates.

- a. Members of the Delegate Assembly shall be elected in accordance with the one person one vote principle using the secret ballot following open nominations. Specific exceptions to the application of this principle may be set forth in this Constitution and/or Bylaws.
- b. Election of an Active member as an officer of the Association, as NEA Director, or as a member of the KEA Board of Directors shall constitute election to the Delegate Assembly.
- c. Election of an Active member as president, president-elect (or vice president if there is no president-elect), secretary or treasurer of a KEA District shall constitute election to the Delegate Assembly.
- d. Election as president, vice president or secretary of KEA-R shall constitute election to the Delegate Assembly.
- e. Delegates shall be elected by the affiliated local association(s) within the public school system or the affiliated association in an institution of higher education.
- f. Delegates to fill educational positions (i.e. supervisor or non-supervisor) may be replaced only by alternates of the same educational position. Delegates elected to fulfill ethnic minority requirements may be replaced only by ethnic minority alternates.

B-3.2. Term of Office. Election of delegates shall be for a term of one (1) year, beginning on December 1, except for Student delegates whose term shall be for one year beginning July 1.

Section 4. Seating of Delegates.

The Delegate Assembly, upon the advice of the Compliance/Constitution Committee, shall have the final jurisdiction over the seating of its delegates.

B-3.3. Seating of Delegates.

- a. *Each delegate shall present credentials of election signed by the president or designated officer of the local education association.*
- b. *The Compliance/Constitution Committee shall approve the credentials of all delegates before they are admitted to membership in the Delegate Assembly.*

Section 5. Meetings.

- a. The Delegate Assembly shall meet at least annually, subject to the stipulations prescribed in the Bylaws.

- b. Delegates from each district education association shall meet prior to any meeting of the Delegate Assembly. The President, Vice President, NEA Directors, and At Large Ethnic Minority Representatives shall be eligible to vote at the meeting of their home district education association.

B-3.4. Meetings.

- a. *The time, place and type of general state meetings shall be determined by the Board of Directors.*
- b. *Special meetings of the Delegate Assembly shall be called for an expressed purpose or purposes as follows:*
 - 1. *By the President, with the approval of a majority of the members of the Board of Directors.*
 - 2. *By the President, upon written petition of two-thirds of the members of the Board of Directors.*
 - 3. *By the President, upon written petition of a majority of the authorized members of the Delegate Assembly who also represent at least twenty-five (25) percent of the delegates from each of at least eight (8) different affiliated district education associations.*

Section 6. Functions.

- a. Establish Association policies and objectives;
- b. Elect the President, Vice President, minority members of the Board of Directors, and members of the Board of Directors of the National Education Association, as provided in this Constitution and/or Bylaws;
- c. Adopt the annual budget;
- d. Establish dues;
- e. Amend this Constitution and the Bylaws in accordance with Article XI hereof;
- f. Adopt the rules and agenda governing its meetings;
- g. Periodically establish specific goals and objectives in the pursuance of the stated purposes of the Association;
- h. Establish and/or discontinue Standing Committees;
- i. Enact such other measures as may be necessary to achieve the goals and objectives of the Association which are not in conflict with this Constitution or the Bylaws.

B-3.5. Parliamentary Procedure.

- a. *Robert's Rules of Order Newly Revised shall be the authority governing all matters of procedure not otherwise provided in the Constitution and Bylaws.*
- b. *At the first meeting of the Delegate Assembly, the President shall appoint a parliamentarian.*
- c. *In elections with more than two declared candidates, the candidate with the fewest number of votes will drop off the ballot after each round of voting. This Bylaw shall apply to all offices elected by the Delegate Assembly.*

SR-I. ORDER.

- A. *A sergeant-at-arms shall be appointed by the President.*
- B. *Identification badges issued by the Compliance/Constitution Committee shall be clearly displayed before entering the assembly hall and the voting area.*
- C. *Non-delegate members and guests shall be seated in a designated area apart from the delegates.*
- D. *Smoking shall not be permitted on the floor of the Delegate Assembly.*
- E. *All cell phones and beepers shall be turned off or put in silence mode during any business session of the Delegate Assembly.*

SR-II. BUSINESS AND DEBATE.

- A. *The adoption of the order of business of the Delegate Assembly shall be the first item of business at the first business meeting of the Assembly.*
- B. *All sessions of the Delegate Assembly shall be conducted in accordance with provisions of the KEA Constitution, Bylaws, and Standing Rules. Matters not specifically covered in these documents shall be governed by Robert's Rules of Order Newly Revised.*
- C. *There shall be an official parliamentarian, appointed by the President, to whom questions may be directed only through the presiding officer. If deemed advisable, referrals of questions may be made by the presiding officer to the Compliance/Constitution Committee, for advisory interpretation.*
- D. *Any delegate recognized by the chair shall give his/her name and association and shall indicate whether speaking as an individual, or as a spokesperson for the local delegation, before speaking to a point under discussion. No member shall speak and/or be recognized in debate more than twice to the same question during the same meeting, nor longer than three (3) minutes at one time, unless permitted by majority vote of the Delegate Assembly. A speaker may yield only the unused portion of his/her allotted time to another delegate.*
- E. *A roll call vote shall be taken only after approval, by a standing vote, of one-third of the delegates present. The doors shall be closed while a roll call vote is being taken.*
- F. *New business items shall be processed and supervised by the Compliance/Constitution Committee. New business items relating to procedural operation of the Delegate Assembly may be introduced and acted upon*

prior to the close of each business session. New business items shall be submitted to the Committee no later than 12 noon on Thursday of the Annual Meeting. New business items shall be numbered in the order received and shall include the name and association of the contact person.

- G. All Constitution and Bylaw changes proposed to the Delegate Assembly shall be voted on by secret ballot.
- H. New business items adopted by the Delegate Assembly shall remain in effect (1) until a specified expiration date; or (2) until it is implemented; or (3) until it is rescinded by a subsequent Delegate Assembly. New business items of the Association presented at the direction of the Board of Directors may be debated and acted upon at any business meeting of the Delegate Assembly. If a new business item which has budgetary implications is adopted it will be referred to the following year's committee on Program and Budget for implementation unless the Delegate Assembly amends the current budget or the proposed budget to provide funding.
- I. Submission of Proposed Constitution and Bylaw Amendments.
 - (1) Proposed amendments to the Constitution and Bylaws must be accompanied by supporting rationale at the time of submission to the Compliance/Constitution Committee and must appear in a publication to all members prior to the Delegate Assembly.

SR-III. NOMINATIONS.

- A. Nominations for each office to be filled by the Convention delegates shall be limited to one nominating speech of three (3) minutes and one seconding speech of one (1) minute for each nominee. Delegates may yield the floor to non-delegate members for the purpose of making or seconding nominations.
- B. Acceptance speeches by nominees shall be limited to three (3) minutes.
- C. After nominations for an office have been closed and if only one person has been nominated for that position, the Compliance/Constitution Committee shall move that the individual be elected by acclamation. If the motion passes the nominee shall be certified as elected.

SR-IV. REPORTS.

- A. Each standing committee shall present an annual report in writing which shall be published on the KEA website at least one week prior to the first business meeting of the Assembly.
- B. Adoption or acceptance of committee reports does not include the approval of any requested appropriation.
- C. The adoption of the budget shall be by vote of the Delegate Assembly after consideration of all new business items.

SR-V. DISTRIBUTION OF MATERIALS.

- A. No campaign literature or related material may be distributed or posted within the seating area of the Assembly.
- B. General distribution of printed material in the Assembly and/or adjacent lobbies (within 50 feet) of the area in which the Annual Meeting is held shall require clearance with the chairperson of the Compliance/Constitution Committee. Identification shall be printed on such material.

SR-VI. AMENDMENTS.

- A. Standing Rules may be amended by majority vote at the first business session of any meeting of the Delegate Assembly provided that such amendments have been submitted in accordance with Standing Rule VII.

SR-VII. SUBMISSION OF PROPOSED STANDING RULES.

- A. Submission: Amendments to the Standing Rules may be proposed to the Delegate Assembly by one of the following methods.
 - 1. By a local delegation in the Delegate Assembly whose concurrence in the proposed amendment is evidenced either by a majority vote of those delegates present and voting in such delegation at a regularly called meeting of the delegation held in connection with the April meeting or by petition signed by a majority of the members of such delegation.
 - 2. By petition signed by at least twenty-five (25) registered delegates and submitted to the Compliance/Constitution Committee for presentation to the Delegate Assembly.
 - 3. By a majority vote of the Compliance/Constitution Committee.
 - 4. By an individual member.
- B. Time for Submission and Notice:
 - 1. Proposed amendments to the Standing Rules shall be presented in writing to the Compliance/Constitution Committee, and must be received by the Committee no later than January 15th, or if January 15th falls on a weekend or holiday, by the first business day after January 15th preceding the annual meeting.
 - 2. The text of the proposed amendment along with the name and the local of the contact person shall be printed in an official publication sent to all members.
- C. Suspension of Standing Rules:
 - 1. By a motion from the floor, a standing rule may be suspended or amended without notice by a two-thirds vote of those present and voting.