

GBEA Constitution

Article I – Name

The name of this Association shall be Gresham-Barlow Education Association, hereinafter referred to as the Association or GBEA.

Article II – Purposes

The purposes of this organization are:

Section 1 - To promote educational excellence for all students and be a leader in establishing and evaluating decisions on educational issues.

Section 2 - To build support for public education and education employees.

Section 3 - To secure and expand personal, professional, legal, economic and human rights for all school employees through collective bargaining and other means.

Section 4 - To help members achieve professional excellence and meet the demands and stresses of their jobs.

Section 5 - To pursue organizational excellence, including systematic communications with members and involvement of members in decision-making.

Article III – Affiliation

This organization shall function as a chartered District Association of the Oregon Education Association (OEA) and National Education Association (NEA).

Article IV – Membership

Section 1 - Personnel recognized in the GBEA Collective Bargaining Agreement who have enrolled in the GBEA, OEA and NEA will be recognized as members in the Association. All members will enjoy full membership voting rights and privileges in this document.

Section 2 - Personnel who have chosen not to enroll (Fair Share Fee Payers) are not members of the Association and shall be limited to those rights and privileges mandated by law.

Article V - Officers, Executive Board and Representative Council

Section 1 - The officers of this organization shall be the office of the President, 3 Vice Presidents (V.P.s) representing Elementary, Middle and High School level, Secretary, Treasurer, Grievance Chairperson and Bargaining Chairperson. This group of officers shall be referred to as the Executive Board.

Section 2 - All Executive board members, except Bargaining and Grievance Chairs shall be elected by a secret ballot of the general membership prior to the last Executive Board meeting in June. V.P.s shall be elected from their constituency (i.e. High School V.P. is elected by High School members, Middle School V.P. is elected by Middle School members and Elementary V.P. is elected by Elementary members, members who work with more than one level must choose one level in which they will vote). All elected officers serve a two-year term. Officers can serve a total of 3 consecutive terms. The President, Middle School V.P. and Secretary will be elected in even-numbered years, to serve the following year. The High School V.P., Elementary School V.P. and Treasurer will be elected in odd-numbered years, to serve the following year. Any member can be re-elected to the same position after an absence of no less than one year. A member may serve in another position with no absence.

Section 3 - Building representative positions shall be allocated as follows: one for every 20 Full Time Equivalency (FTE) members or major portion thereof (eleven), with a minimum of one per building. This shall be determined based on the FTE reported on March 1 of the year preceding service. In the event that a building's membership increases to the point of qualifying for an additional representative, a special election may be held in September to increase representation to appropriate levels.

Each so elected building representative may, when in attendance, cast one vote in Representative Council voting. A building may elect one alternate per representative position. An alternate representative may cast a vote in Representative Council only in the absence of the building representative. No building representative may cast more than one vote.

Section 4 - The Representative Council shall consist of the following voting members: Executive Board, Building Representatives and the East County Bargaining Council (ECBC) Member-at-Large. Association members may hold only one of the above voting positions.

Section 5 - The term of all elected officers begins on July 1st of the year immediately following the general election and ends on June 30th of the following year.

Section 6 - Any changes in the stipends for the Executive Board members will be proposed by the Finance Committee and are voted upon by the Representative Council.

Section 7 - Beginning on July 1, 2018, Executive Board stipends will be adopted in 2-year increments.

Article VI - Duties of the Executive Board

The Executive Board shall have administrative authority for the Gresham-Barlow Education Association and the power to act for the Association. Its duties shall be as follows:

Section 1 - To propose to Representative Council the date, time and place for regular meetings, of which there shall be at least one per month during the school year.

Section 2 - To call special Association meetings and special Representative Council meetings.

Section 3 - To approve Bargaining and Grievance chairpersons' appointments.

Section 4 - To facilitate and support contract bargaining and maintenance including grievance and arbitration actions.

Section 5 - To facilitate and support communication to keep the membership fully informed as to actions taken by the Association and its representatives.

Section 6 - To report actions and activities of the Executive Board to the Representative Council.

Section 7 - To review and update annual programs that support Association purposes.

Section 8 - Upon approval of the Finance Committee's recommendation, present the annual budget to the Representative Council for approval.

Section 9 - To review and authorize the plan presented by the Treasurer to manage the financial resources of the Association to the greatest advantage of the membership

Section 10 - To fill vacancies in office, other than the President, that occur during the year by a majority vote of the Executive Board.

Section 11 - To appoint and give instructions annually to committees that could include but are not limited to Audit, Finance, Communication/PR, Social, and Election. No officer of the Association shall serve on an Audit Committee.

Section 12 - To propose to Representative Council any dues changes, assessments or expenditures not included in the annual budget.

Section 13 - To approve any advancement or denial of proposed grievances for binding arbitration, including, when necessary, submission to the ECBC.

Section 14 - To respond to emergencies between regular meetings by taking actions that represent the best interest of the membership in a timely manner and by reporting such actions to the Representative Council at the next regularly scheduled meeting.

Section 15 -To attend an annual, two-day, Executive Board retreat in the summer.

Article VII - Duties of Executive Board Members

Section 1- The duties of the President shall be:

- a) To ensure that the duties cited in the Constitution are fulfilled.
- b) To be the official spokesperson for the Association.
- c) To act as chairperson of the Executive Board.
- d) To ensure that the actions and activities of the Executive Board are reported to the Representative Council.
- e) To serve on, conduct and attend all Executive Board, Representative Council, and general membership meetings.
- f) To appoint the chairperson *of each* committee and supervise standing and special committees with the approval of the Executive Board.
- g) To appoint the Bargaining and Grievance Chairpersons subject to approval by the Executive Board and Representative Council.
- h) To be an ex-officio member of all standing committees.
- i) To communicate regularly with School Board Members and represent GBEA at all School District Board meetings.
- j) To attend *all* East Multnomah County UniServ Council meetings and the OEA Representative Assembly.
- k) To attend meetings of the ECBC.
- l) To be a participating member of OEA Local President Meetings.
- m) To attend at least one state level conference, training, and/or workshop per year (i.e. Advocacy Conference, Summer Leadership Conference).
- n) To fulfill assignments as designated by the Executive Board and/or Representative Council.
- o) To have regular communication with the Executive Board on activities that relate to the duties of President as outlined in the constitution.
- p) To contribute a President's monthly message to the general membership. to meet regularly with district administration.
- q) To attend all OEA President's Trainings.

Section 2 - The duties of the V.P.s shall be:

- a) To serve on the Executive Board and Representative Council.
- b) To represent his/her constituency.
- c) To chair committees as appointed by the President.
- d) To assist in the recruitment of members for committee work, leadership positions, and any need that requires participation from his/her constituency.
- e) To attend New Member orientation
- f) To act as chairperson for Executive Board and Representative meetings, and attend School Board meetings, and the East Multnomah County UniServ Council meetings in the absence of the President or as appointed by the President.

- g) To assume the duties of the President in the event of a presidential resignation in the second year. (see Article 11, Section 4)
- h) To attend at least one state level conference, training and/or workshop per year (i.e. OEA RA, Advocacy Conference, Summer Leadership Conference).

Section 3 - The duties of the Secretary shall be:

- a) To maintain rosters, including but not limited to:
 - i) General Membership.
 - ii) Fair Share Fee Payers.
 - iii) All members assigned to buildings including itinerant members for purposes of Association business.
 - iv) Committees and Chairpersons.
 - v) All elected positions.
- b) To keep official copies of the Constitution and other important papers of the Association in the Association file at the UniServ office.
- c) To send out special notices and carry on correspondence as required.
- d) To prepare Executive Board and Representative Council meeting minutes and upon request, make them available to the membership.
- e) To keep an accurate record of all proceedings and attendees at meetings of the Executive Board, Representative Council and, as directed by the Executive Board, other groups.
- f) To transfer all pertinent records and materials to the incoming Secretary.
- g) To serve on the Executive Board and Representative Council and attend meetings
- h) To attend at least one state level conference, training, and/or workshop per year.

Section 4 - The duties of the Treasurer shall be:

- a) To meet annually with the association banker by November to develop a plan for managing the financial resources of the Association and to present this plan to the Executive Board for authorization.
- b) To deposit membership dues and assessments.
- c) To pay only those bills as authorized by the Executive Board.
- d) To keep the financial records of the Association and to keep a copy of all financial records in the Association file at the UniServ office.
- e) To prepare financial reports of the Association's economic condition for the Executive Board and Representative Council meetings and, upon request, to make reports available to the membership.
- f) To prepare records for an annual audit and present the audit letter to the executive board when complete.
- g) To prepare documents required to ensure compliance with taxation laws (local, state and federal).

- h) To transfer all pertinent records and materials to the incoming treasurer.
- i) To serve on the Executive Board and Representative Council and attend meetings.
- j) To chair the Finance Committee
- k) To attend at least one state level conference, training, and/or workshop per year.

Section 5 - The duties of the Grievance Chair shall be:

- a) To appoint, organize and chair the Grievance Committee
- b) To monitor contract compliance.
- c) To report Grievance Committee recommendations for binding arbitration to Executive Board.
- d) To coordinate actions regarding grievances.
- e) To guide and coordinate activities for membership advocacy
- f) To communicate regularly and work with both the Consultant and Bargaining Chair on pertinent issues and actions
- g) To provide copies of local grievance information to the UniServ Representative for filing.
- h) To report to the Executive Board and Representative Council the activities of the Grievance Committee in a timely manner
- i) To serve on the Executive Board and Representative Council and attend meetings.
- j) To attend at least one state level grievance/advocacy conference, training, and/or workshop per year.

Section 6 - The duties of the Bargaining Chair shall be:

- a) To support member interests and benefits through collective bargaining.
- b) To appoint, organize, and chair, during bargaining years, a Bargaining Team whose membership represents elementary, middle, and high school levels.
- c) To appoint, organize, and chair, during non-bargaining years, a Bargaining Committee.
- d) To organize and lead all bargaining preparations and sessions, including
- e) surveying members, writing contract language, and presenting contract proposals and agreements.
- f) To stay current on local, state and national bargaining and professional issues.
- g) To prepare timely reports to officers and members on bargaining news, particularly during contract preparations and negotiations.
- h) To communicate regularly and work with both the Consultant and Grievance
- i) Chair on pertinent issues and actions.

- j) To be the GBEA liaison to district administration about bargaining matters for the year.
- k) To present requests for binding arbitration from GBEA to the ECBC.
- l) To report to the Executive Board and Representative Council the activities of the Bargaining Committee in a timely manner.
- m) To serve on the Executive Board, Representative Council and the ECBC and attend meetings.
- n) To attend at least one state level bargaining conference, training, and/or workshop per year.

Article VIII - Duties of Representative Council

The Representative Council shall serve as the primary decision-making body for the Association. The Representative Council derives its power from, and shall be responsible to, the membership. Its duties shall be as follows:

Section 1 - To initiate actions and direct the Executive Board to take actions that are in the best interest of the membership.

Section 2 - To approve the date, time and place for regular Representative Council meetings of which there shall be at least one scheduled per month during the school year.

Section 3 - To approve any dues changes, assessments or special expenditures.

Section 4 - To approve Bargaining and Grievance chairperson appointments.

Section 5 - To recruit members for Association activities.

Section 6 - To adopt the Association budget.

- a) A special quorum for this purpose shall be constituted of two-thirds (2/3) of the Representative Council membership.
- b) The budget will be considered passed if two-thirds (2/3) of the special quorum approve said budget.

Section 7 - Whenever a two-thirds (2/3) majority of the Representative Council membership or a simple majority of the membership agree, a member of the Executive Board shall be removed and the office declared vacant and filled according to Article VI, Section 10 or Article VII Section 2g.

Article IX – Duties of Non-Executive Board Members

Section 1 - The duties of the Building Representatives shall be:

- a) To verify annual records of membership information.

- b) To collect special assessments and bargaining contributions.
- c) To assist in the enrollment of new members.
- d) To disseminate OEA, NEA and GBEA information to the certified staff members at their sites.
- e) To serve on the Representative Council and to attend all scheduled meetings.
- f) To maintain a reference file of all pertinent GBEA materials.
- g) To maintain Association bulletin boards at their sites.
- h) To communicate on at least a monthly basis the business of the Association to the members and concerns of the membership to the building administration.
- i) To conduct all building elections as outlined in Article XI.

Section 2 - The duties of the ECBC Member-at-Large shall be:

- a) To attend and to serve as a representative and a spokesperson for GBEA at the ECBC meetings.
- b) To report activities of the ECBC to the Representative Council.
- c) To serve on the Representative Council and attend meetings.

Section 3 - The duties of the OEA Representative Assembly (RA) Delegates shall be:

- a) To become knowledgeable of GBEA and OEA issues and concerns.
- b) To attend regularly scheduled East Multnomah County UniServ Council meetings.
- c) To represent GBEA at the OEA Representative Assembly in the following ways:
 - i. To attend OEA Pre-Representative Assembly Meeting (PRAM).
 - ii. To attend the regional caucus meetings as scheduled.
 - iii. To attend OEA's annual Representative Assembly.
- d) To report OEA Representative Assembly activities and decisions to the Representative Council as requested.

Section 4 - The duties of the NEA Representative Assembly (RA) Delegates shall be:

- a) To become knowledgeable of current GBEA issues and concerns in the year prior to the NEA RA through involvement in GBEA by at least one of the following ways:
 - i. To serve as an Executive Board member.
 - ii. To serve as appointed to an Association standing or special committee.
 - iii. To serve as a GBEA representative council member.
 - iv. To attend regularly scheduled GBEA Representative Council meetings as a non-voting participant.
 - v. To attend regularly scheduled East Multnomah County UniServ Council meetings.

- b) To represent GBEA at the NEA RA in the following ways:
 - i. To attend the first OEA caucus meeting in Oregon prior to the RA.
 - ii. To attend OEA caucus meetings as scheduled at the RA.
 - iii. To participate on a committee as formed at the OEA caucus at the RA.
 - iv. To attend general RA meetings.
 - v. To vote on any item offered for vote in both caucus and full RA meetings.
- c) To prepare a report of the activities and issues raised from the NEA RA for presentation at a Representative Council meeting in the fall as requested.

Article X - Standing Committees

Section 1 - There shall be the following standing committees carrying out the specific functions outlined below. Each committee may, with the approval of the Executive Board, organize special subcommittees and task forces for specific activities.

Section 2 - The Executive Board shall annually charge each committee with specific objectives to accomplish.

Section 3 - The chairperson shall submit to the Executive Board a list of proposed committee members and shall keep a continuing record of activities and report items of action to the Executive Board.

Section 4 - Titles and duties of standing committees

- a) The Political Action committee shall:
 - i. Inform members of local, state and national legislation as well as School Board action affecting the interests of education.
 - ii. Encourage members to exercise their civic and political rights.
 - iii. Mobilize member participation and Association support in school district elections and other political campaigns that may affect members of the bargaining unit.
 - iv. Evaluate and interview, when possible, political candidates for endorsements and support.
 - v. Carry out OEA Political Action Committee (PAC) mandates.
- b) The Bargaining Committee on behalf of the ECBC shall:
 - i. Prepare bargaining proposals to be approved by the Executive Board prior to being placed before the School Board.
 - ii. Bargain with the School Board on all contract provisions for all members of the bargaining unit.
 - iii. Upon reaching tentative agreement with the School Board on all matters in bargaining, prepare and submit its report and

recommendations to the ECBC for its approval, and, subsequently, submit the approved agreement to the members of the Association and others in the bargaining unit for ratification. A meeting notice to general membership for ratification will be given at least twenty-four (24) hours in advance. For ratification vote a quorum will consist of those members present.

- iv. Bargain Memoranda of Understanding (MOU) with the District as needed.
- c) The Grievance Committee shall:
 - i. Monitor contract compliance throughout the District and take appropriate actions when infractions are discovered.
 - ii. Process grievances on behalf of members and/or ECBC.
 - iii. Educate members as to the interpretation of articles within the contract.
 - iv. Recommend to the Executive Board advancement of grievances for binding arbitration.
 - v. The Finance Committee shall:
 - vi. Consist of the Treasurer and a Building Representative from Elementary, Middle and High School.
 - vii. Submit a GBEA Budget to the Executive Board at the Executive Board Transition meeting.

Article XI - Election Process

The General Election procedure will be as follows:

Section 1 - The General Election procedure for the positions of Executive Board, the ECBC Member-At-Large, OEA- Representative Assembly Delegate(s), and NEA- Representative Assembly Delegate(s) will be as follows:

- a) The President shall appoint an Election Committee Chair, by the Executive Board Transition Meeting. The chair shall report the names of the committee members to the Executive Board at the March meeting. No members of the committee (including the chair) may be on the ballot.
- b) At the March Representative Council meeting, the Election Committee will inform members of the election timelines, duties, recommended background and past and present range of stipends for open positions; remind the Building Representatives to follow the same timeline for their Building Representative elections; and begin to solicit candidates for those offices.
- c) Following the March Representative Council meeting, the Election Committee will continue to solicit candidates (paper or electronic version) for positions.

- d) At the April Executive Board and Representative Council meetings, the election committee will distribute a roster of interested candidates to be posted in each school for one week (paper copy). This roster will contain the procedures for interested members who wish to be included on the final ballot.
- e) The Election Committee will create a final ballot of candidates and forward this ballot to building representatives along with a list of eligible voting members, including itinerant members assigned to the building. A place for write-in candidates shall be placed on the ballot for each position.
- f) Building representatives or their designees will conduct an election by secret (paper or electronic) ballot in their respective buildings during the first full week of May. Each voting member will be required to initial the official roster when voting. The ballots will be sent to the chairperson of the Elections Committee as per the designated timeline. The chairperson will oversee the count of all votes. Results will be filed immediately in the Association file in the office. The results will be reported to the Executive Board and Representative Council for certification at the June meeting.
- g) With the approval of the Executive Board, timelines may be suspended.

Section 2 - The Building Representative election procedure will be as follows: current Building Representatives will open a Building Representative election following the same timeline as the Election Committee guidelines, conduct an election that allows for a secret ballot and forward the results to the chair of the Elections Committee concurrently with the general election ballots.

Section 3 - Special elections may be held for the following: interim President, bargaining issues, constitution revisions and other general membership concerns.

Section 4 – A special election will be held to elect an interim President if the vacancy occurs during the President's first year of office. (See Article VII, Section 2g)

Article XII – Dues

Section 1 - Local Association dues shall be determined by the Representative Council based on budgetary needs.

- a) A special quorum for this purpose shall be constituted of two-third (2/3) of the Representative Council.
- b) The dues changes will be considered passed if two-thirds (2/3) of the special quorum approve said changes.

Section 2 - Part-time members and Fair Share Fee Payers who are employed .5 FTE or less

will be assessed half (50%) of the local dues. Members and Fair Share Fee Payers that are employed more than .5 FTE will be assessed full local dues.

Section 3 - All dues shall be assessed equally for members and fair share fee payers alike.

Section 4 - Special assessments must be approved by the Representative Council.

Article XIII – Constitutional Amendments

Section 1 - Proposed amendments to the Constitution may be introduced by an individual member, the Representative Council, or Executive Board by the following procedure:

- a) The proposed amendment will be presented for information to the Executive Board.
- b) The Executive Board must provide a copy of the proposed amendment to
- c) members of the Representative Council for one week prior to offering the item for discussion at the Representative Council meeting. The Executive Board will then provide adequate time on the agenda of the next Representative Council meeting for thorough discussion of said proposal. The Representative Council will vote on the forwarding of the amendment.
- d) A special quorum for this purpose shall be constituted of two-thirds (2/3)
- e) of the Representative Council membership.
- f) A two-thirds (2/3) majority vote of this special quorum will allow the
- g) amendment to be forwarded to the Election Committee.
- h) When a proposed amendment is forwarded to the Election Committee, the committee will make the amendment available to all members, and then hold a special election by secret ballot among the membership.
- i) The amendment will be considered passed if two-thirds (2/3) of the members casting ballots approve it.

Section 2 - In the event that any part of this Constitution is declared illegal by change of law, the Executive Board may change the Constitution by a simple majority vote. This part may be changed only to the extent of the change in the law.

Article XIV – Quorum and Notice

Section 1 - Except as otherwise specified in the Constitution, a simple majority of the membership of the group convened represents a quorum at any meeting.

Section 2 - A regularly scheduled meeting requires written or personal notice to each member at least seven (7) days prior to the meeting.

Section 3 - A non-scheduled or emergency meeting requires written or personal notice to each member at least twenty-four (24) hours prior to the meeting.

Article XV - Rules of Order Robert's Rules of Order, revised, shall be the parliamentary authority of this Association, subject to the Constitution.

Reformatted Feb. 11, 2009 with proposed amendments

Last modified January 2018