

CONSTITUTION
of the
MOBILE COUNTY EDUCATION ASSOCIATION, INCORPORATED
(Revised January, 2022)

ARTICLE I: NAME

This Association shall be known as the Mobile County Education Association, Incorporated.

ARTICLE II: PURPOSE

1. 1. To advance the cause of public education in Mobile County, Alabama by:
 - a. (a) Promoting high standards for the teaching profession.
 - b. (b) Promoting the general welfare of teachers, specifically in the areas of salary, tenure, retirement, satisfactory teaching conditions and other similar benefits;
 - c. (c) Informing members on issues pertinent to their interests;
 - d. (d) Representing and protecting teachers in their legitimate rights and interests, and other matters of concern to the profession.
- e. 2. To cultivate and promote professional solidarity among teachers.
- f. 3. To act as a representative body empowered to speak with authority for its members.
- g. 4. To promote the ideals of democracy in practice as well as in principle.

ARTICLE III: MEMBERSHIP

Section 1: Active Members

- A. Active membership in the Association shall be open to all professional personnel employed in the schools of Mobile County who hold an earned bachelor's or higher degree (or hold a regular vocational certificate) and, where required, hold or are eligible to hold a regular legal certificate, and who agrees to abide by the NEA Code of Ethics of the Education Profession.
- B. Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
- C. Active members of the Association shall be members of the Alabama Education Association and the National Education Association.

Section 2: Revocation of Membership

According to procedures adopted by the Representative Assembly, the Executive Board may suspend from membership or expel any member who shall have violated the NEA Code of Ethics of the Education Profession and may cancel the membership of any member convicted in a court of law involving a crime of moral turpitude. The Executive Board may reinstate a member who has previously been suspended, or expelled from the Association. No member shall be censured, suspended, or expelled from MCEA, Incorporated without a due process hearing, which shall include an appropriate appellate procedure.

ARTICLE IV: EXECUTIVE BOARD

Section 1: Composition

The Executive Board shall consist of the Officers, the immediate Past President, and ten Members-at-large. In the event of a vacancy in the position of immediate Past President, the vacancy shall be filled with the most recent Past President. It shall be the executive authority of the Association.

Section 2: Duties Regarding a Staff

Under policies adopted by the Representative Assembly and within the annual budget, the Executive Board shall have the power to employ a staff for thP operation of the Association.

Section 3: Removal from Office

Whenever a majority of the Executive Board shall agree that a member of the Executive Board has given cause of misfeasance, malfeasance, or nonfeasance, the position shall be declared vacant. Said member shall be notified in writing of the Board's recommendations and given 15 days to request a due process hearing. A panel of five members of the Representative Assembly shall be appointed by the Executive Board to review all facts concerning said charges. The findings of this committee will be placed before the Representative Assembly for affirmation or denial. Failure to request a hearing shall cause the action of the Board to be final.

Executive Board Members should attend all meetings of the Executive Board and the Representative Assembly. To be counted present, a member should attend the entire meeting. If a meeting lasts longer than one hour, an hour's attendance would be considered acceptable. Whenever a member of the Executive Board misses any three consecutive meetings of the Executive Board, the member's name will automatically be placed on the Board Agenda as removed from office. Whenever an Executive Board member misses four Executive Board meetings of an elected year, June through June, the member's name will automatically be placed on the Board Agenda as removed from office. Whenever a Board member misses a total of six Executive Board meetings and/or Representative Assembly meetings in an elected year, June through June, the member's name will automatically be placed on the Executive Board Agenda as removed from office. The same due process as outlined above will be provided.

ARTICLE V: REPRESENTATIVE ASSEMBLY

Section 1:

The legislative and policy forming body of the Association shall be the Representative Assembly.

Section 2:

The Representative Assembly shall consist of the Officers, Executive Board, the Chairs of the Standing Committees, and Mobile County Education Association (MCEA) members at large.

Section 3:

The Representative Assembly shall apply the one person-one vote principle for representation except that there shall be a guarantee of ethnic-minority representation at least proportionate to the ethnic-minority membership. There shall be proportionate representation between classroom teacher members and non-classroom members.

Section 4:

In each school site in Mobile County, faculty members who are members in good standing of this Association, may designate, the Association Representative to the Representative Assembly.

Section 5:

A site housing only administrative offices shall be considered a school site for purposes of the Association and each professional member shall be considered a member of the faculty of that site.

ARTICLE VI: REVIEWING BOARD

The Executive Board will review the status of the Association in fulfillment of the intentions of merger as outlined in the Constitution.

ARTICLE VII: AMENDMENTS (see state constitution)

The Representative Assembly shall have the power to adopt, amend, and repeal this Constitution by a two-thirds majority of those voting at any regular meeting provided that a quorum is present, and provided that any change be submitted to the Executive Board at least 7 days before the meeting of the Representative Assembly. Proposed amendments shall have been distributed to members of the Representative Assembly at any prior regularly scheduled meeting before they are to be considered by the Representative Assembly. School faculties shall have the power to instruct their representatives.

ARTICLE VIII: ASSOCIATION STAFF

Section 1: Function

The President of the Mobile County Education Association shall be in charge of the administrative and executive work of the Association under the direction of the Executive Board.

Section 2: Membership

The general duties of the President are to secure effective administration of the Mobile County Education Association Office and staff.

ARTICLE I: MEETINGS BYLAWS

Section 1: Executive Board

The Executive Board shall have a regular meeting monthly and shall have additional meetings at the call of the president or at the request of three members of the Board, providing notice is given to all members of the Board.

Section 2: Representative Assembly

The Representative Assembly shall meet a minimum of five times per school year. The Executive Board will set the meetings after the School Calendar is approved. This proposed meeting schedule should be brought to the RA and distributed to the Association Representatives as soon as possible.

Section 3: Special Meetings

Special meetings of the Representative Assembly may be held at the call of the President, upon written request of eight members of the Executive Board, or from a majority of the representatives of five faculties. Business to come before special meetings must be stated in the call, which shall be sent in

writing to each representative.

ARTICLE II: QUORUM

Section 1: Executive Board

A quorum shall consist of a simple majority of the members of the Executive Board.

Section 2: Representative Assembly and other Meetings

A quorum shall consist of those members present.

ARTICLE III: OFFICERS

Section 1: Qualifications

All officers of the Association shall have been members of the local, state and national association for a period of at least two years, attended a minimum of 5 Executive Board/Representative Assembly meetings per year, and shall maintain such membership during their term of office.

Section 2: President

The President shall preside over meetings of the Executive Board. The President shall appoint the chairpersons of Standing Committees, with the exception of the Professional Rights and Responsibilities Committee and the Properties Committee chairpersons who will be elected by the members of those respective committees. The President shall be the Executive Officer of the Association. 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. The President of the Association shall serve as one of the elected AEA Delegates and as one of the elected NEA Delegates.

Section 3: Vice President.

The Vice President of the Association shall perform the following functions: To serve as a voting member of the Executive Board, to perform, in the absence or disability of the President, all the duties of the President, to represent the President, at his/her request, at meetings and conferences. The Vice President shall work with Standing Committees. The Vice President shall become the President for the duration of the unexpired term if the Presidency becomes vacant.

Section 4: Secretary

The Secretary shall keep accurate minutes of all meetings of the Executive Board and Representative Assembly, shall maintain official files, and shall assist the President with Association correspondence. The Secretary shall be responsible for disseminating the minutes of all meetings to the Executive Board and to the Representative Assembly.

Section 5: Treasurer

The Treasurer shall hold the funds of the Association and disburse them upon authorization by the Executive Board. The Treasurer shall keep accurate records of receipts and disbursements, shall report to each meeting of the Executive Board and Representative Assembly, and shall prepare an annual financial statement for publication and distributed to the Representative Assembly as directed by the Executive Board. The Treasurer shall keep the President and Executive Board informed of the financial condition of the Association and shall assist the Budget Committee in the initial drafting of the annual budget. The Treasurer and either the President or the Vice President must sign all checks. In case of emergencies or prolonged absence of the Treasurer, the President and the Vice President may sign necessary checks.

Section 6: Terms and Succession

The terms for Officers and Executive Board will begin June 1st. The President, Vice-President, Secretary, and Treasurer shall serve a two-year term beginning on June 1, 2017, as per AEA Constitution.

An officer shall be eligible for immediate succession to the same position, not to exceed more than two consecutive elected terms. The Executive Board shall serve for two years and may be re-elected without an intervening term. Five Directors will be elected each year. Whenever the office of the Vice President, Secretary, or Treasurer shall become vacant between elections, the remaining members of the Executive Board shall choose one of their members to fill the vacancy. The Executive Board may fill vacancy on the Board. Upon notification that an impending vacancy on the Board exists, the Board may proceed with a special election to be conducted concurrently during the next regular election. The MCEA Board President with the approval of the Executive Board, will appoint an Interim to fill the office until the vacancy is filled during the next regular election cycle. The person elected to the Vacancy shall serve the remaining unexpired term of office.

Section 7: Resignations

Members of the Executive Board may resign after submitting a written resignation to the President and a majority of the Executive Board for approval.

ARTICLE IV: POWERS OF THE EXECUTIVE BOARD

Section 1:

The Executive Board shall be responsible for the management of the Association, approve all emergency expenditures, carry out policies established by the Representative Assembly, and suggest policies for consideration by the Representative Assembly.

Section 2:

The Board may delegate its power of representation to another designee.

ARTICLE V: POWERS OF THE REPRESENTATIVE ASSEMBLY

Section 1:

The Representative Assembly shall approve the budget, act on reports of committees, and approve resolutions and other policy statements. The Representative Assembly shall adopt procedures for implementing the NEA Code of Ethics of the Education Profession and procedures to be followed in censuring, suspending and expelling members for cause or for reinstating members.

Section 2:

The Representative Assembly may adopt such rules governing the employment of staff, the conduct of the Association, and the conduct of the meetings as are consistent with this Constitution and By-laws. The Representative Assembly shall be the final judge of the qualifications and elections of Officers and Association Representatives.

Section 3:

Powers not delegated to the Executive Board, the Officers, or other groups in the Association shall be vested in the Representative Assembly.

ARTICLE VI: ASSOCIATION REPRESENTATIVES

Section 1: Elections

Faculties shall hold elections of Association Representatives in April. Representatives shall take office July 15. In case of a vacancy in the Representative Assembly, the faculty shall fill the vacancy

immediately.

Section 2: Association Representative (Faculty) Meetings

The Association Representatives organize and oversee the enrollment of members in local, state and national associations, and maintain two-way association communication.

Section 3: Resignations

Association Representatives may resign after submitting a written resignation to the President and the Executive Board for approval.

ARTICLE VII: COMMITTEES

Section 1: Structure

There shall be seven Standing Committees carrying the specific functions outlined below. Each committee may organize special sub-committees/ad hoc and task forces for specific activities from the membership of the Association.

Section 2: Meetings

Each Standing Committee shall meet at the direction of the Executive Board and may hold special meetings at the call of the chairperson.

Section 3: Reports

Each Standing Committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report proposed action to the Executive Board for approval and shall prepare a report summarizing objectives, action programs, gains and unreached goals, which the Executive Board shall distribute to the Representative Assembly, and which shall become a part of the continuing committee record in the Association files.

Section 4: Titles and Duties of Committees

- A. Professional Rights and Responsibilities Committee: This committee advises the Representative Assembly on procedures for the implementation of the Code of Ethics. It shall advise the Executive Board insituations of censure, suspension, or expulsion of members. It shall develop programs of implementation of the Code of Ethics for all members of the Association.
- B. Public Relations Committee: This committee shall seek to develop understanding of the purpose and programs of the Association, the values and importance of education, and in cooperation with the administration, the educational philosophy, and programs of the schools.
- C. Education Policies and Professional Practices Committee: This committee shall exploreand develop actions to raise and maintain standards for certification, employment and assignment; to improve opportunities for pre-service, continuing, and in-service professional education.

- D. Legislative Committee: This committee shall have a broad concern for local, state, and national legislation affecting the interests of the Association and for the exercise of responsibility by members. The committee shall educate members. The committee shall be diligent in informing members about newly enacted legislation.

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- E. Budget Committee: This committee shall prepare a budget for the approval of the Executive Board by the August meeting. The Budget shall be presented to the Association Representative Assembly no later than the August RA Meeting and laid on the table for 30 days unless due to extenuating circumstances the MCEA Board by majority vote extends the period of passage of the budget. *(After adoption of the budget, any changes in the substance of the budget must be proposed at a Representative Assembly meeting and laid on the table until the next Representative Assembly meeting for passage.)* The budget committee shall secure the services of a Certified Public Accountant for an external audit as needed.
- F. Policies and Procedures Committee: This committee shall be responsible for policies, elections, credentials, goals, and periodic constitutional review.
- G. Properties Committee: This committee shall maintain and oversee the property owned by MCEA, Inc. The committee shall consist of the four officers, three (3) members elected from the Executive Board by the Executive Board

Sub-Committees/Ad Hoc

- H. Membership Committee: This committee shall conduct and encourage local, state, and national membership enrollment and inform members of policies, programs and accomplishments of all associations. It shall develop and implement programs for the orientation of new teachers.
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- I. Social Activities Committee: This committee shall organize such social activities as
- may serve the needs of members and promote a fellowship within the Association.
- J. Salary and Benefits Committee: The Salary and Benefits Committee shall, upon request of the Representative Assembly, bring to the Board of School Commissioners, through the Superintendent, salary and benefits problems that concern members.
- K Crisis Committee: This committee shall explore and prepare action programs as necessary to all areas of teacher concern, dealing with emergency and short-term issues are followed-up within approximately a two-week period.

Section 5: Relation to Executive Board

The Executive Board shall assist the President in appointing members of the Standing Committees at the regular meeting in August, and in filling all unexpired terms as vacancies occur, and shall plan for an MCEA Executive Board and Standing Committee Chairs meeting each year. It shall require and assist committees to define their immediate and long-range objectives. It shall review committee plans as necessary and shall decide any jurisdictional arguments between committees.

Section 6: Relation to State and National Associations

The Standing Committees shall seek to understand and relate to the objectives and programs of corresponding units of state and national associations and shall counsel with them.

Section 7: Resignations

Committee members may resign after submitting written resignations to the President and/or a majority of the Executive Board members for approval.

ARTICLE VIII: ELECTIONS

Section 1: Nominations

- A. During the months of December through February, the active members of the Association may nominate candidates for President, Vice President, Secretary, Treasurer and the members of the Executive Board. The nomination must be delivered in writing to the Policies and Procedures Committees.
- B. The Policies and Procedures Committee shall report all nominations of the above officers to the Representative Assembly.

Members may make nominations for delegates in good standing with the local Association to state and national association meetings. Proportionate representation of ethnic minorities and classroom teachers shall be guaranteed by the one man-one vote principle. Persons nominated for President are automatically nominated for AEA and NEA Delegate positions. Upon winning the position of President, the person shall automatically be one of the elected NEA Delegates and one of the elected AEA Delegates. Nothing herein shall preclude any nominee from placing his/her name on the ballot for NEA and/or AEA Delegate.

- D. Provisions shall be made for an individual member to nominate oneself by filling out the appropriate form by the established deadline.
- E. A person nominated for an elected position should be a member in good financial standing, be an active participant in constituted committees and be an active participant in workshops and activities sponsored by the Association. In order to be fully funded, an AEA Delegate must have attended five (5) meetings of the Executive Board and/or Representative Assembly (between December and November) and an NEA Delegate must have attended seven (7) meetings of the Executive Board and/or Representative Assembly (between July and June). To be counted present, a member should attend the entire meeting. If the meeting lasts longer than one hour, an hour's attendance would be considered acceptable.
- F. In case of a tie for AEA/NEA Delegate Assembly, attendance will be used as the tiebreaker.

Section 2: Ballots

The Policies and Procedures Committee shall set the ballot and the yearly calendar for all local elections.

ARTICLE IX: AUTHORITY

Robert's Rules of Order, revised, shall be the parliamentary authority for the Association on all questions not covered by the Constitution and By-laws, and such standing rules as the Representative Assembly may adopt.

ARTICLE X: DUES

Section 1:

The MCEA annual dues (rounded to the nearest half dollar) for all active members of the Association shall be one-half of one percent of the average teacher's salary in Alabama. The average salary shall be taken from the most recent available Alabama State Department of Education data, based each year on a percentage factor of the average classroom teacher salary of Mobile teachers of the current year as verified by tabulations available through the Alabama State Department of Education and/or the Research Division of the Alabama Education Association. Should an estimate be required of the current year's average classroom teacher salary, this estimate shall be presented to the MCEA Executive Board for approval. Should the estimate be inconsistent with data available at a later date, the MCEA dues for the succeeding year shall be adjusted positively or negatively to balance the difference. The percentage factor shall be 0.195% (multiplier equal to 0.00195).

Section 2:

Of the total dues collected per member, not less than \$4.00 shall be reserved in a fund for the purposes of maintaining and overseeing the properties owned by the Mobile County Education Association, Incorporated. Of the total dues collected per member, not less than \$3.00 shall be reserved for expenses related to public relations of the Association. Such items can include, but are not limited to, educational scholarships, outside advertising, communications with the public, charitable enterprises, and civic endeavors.

Section 3:

—In 2017, the MCEA Representative Assembly approved a \$6.00 annual assessment for the period of five years (2017-2022). At the end of five years, a review of that assessment will be made. The assessment will end beginning with the 2022 school term should an extension and/or increase/reduction of the assessment not be approved by the MCEA Representative Assembly.

Section 4:

Remaining funds (dues) shall be for the maintenance and operation of the Association as determined by the annual budget prescribed in this Constitution.

ARTICLE XI: AMENDMENTS

The Representative Assembly may adopt amendments to the By-laws by a two-thirds majority of those voting at any regular meeting provided that proposed amendments shall have been distributed to members of the Representative Assembly for discussion at any prior regularly scheduled meeting.