

The Constitution of the United Teachers of South Washington County

Preamble

We, the members of the United Teachers of South Washington County, believing that the active participation of non-supervisory licensed educational personnel, educational assistants and school related personnel in the development of educational policy is essential for sound education in a democratic society, have joined together, as herein defined in this constitution and these bylaws, for the Independent School District 833.

Article I: Name:

The name of this organization shall be the United Teachers of South Washington County hereinafter referred to as the UTSWC.

Article II: Objective:

The purpose of this organization shall be to:

1. promote the improvement of public education,
2. serve the teachers of ISD 833 as exclusive bargaining representative whenever such authority exists in accordance with M.S. 179.61-179.76 Public Employee Labor Relations Act.
3. encourage teacher involvement in political activity,
4. raise the standards of the teaching profession,
5. promote the democratization of schools.

Article III: Affiliations:

The UTSWC is affiliated with Education Minnesota (EM), the American Federation of Teachers (AFT), the National Education Association (NEA) and the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) in accordance with the provisions of the Constitutions and Bylaws of those bodies. If any provisions of this constitution and these bylaws conflict with or violate those of the parent organizations, the provisions of the parent organizations shall supersede those contained herein.

Article IV: Membership

Membership in the UTSWC shall be in accordance with the constitution and bylaws of EM, AFT, and NEA. The membership year shall be September 1 through August 31. No one shall hold office in the UTSWC who is not a member of all of the above. Should any person be ineligible for membership in an affiliate, that person shall also be ineligible for membership in the UTSWC.

An employee who chooses not to join as a member will be considered a potential member. Potential members will not be eligible to run for or hold any office, to receive appointment to any position, vote in any election or ratification including contract ratification and strike votes, and shall not be eligible to attend any membership meetings. The UTSWC will not accept financial donations from potential members in lieu of becoming a member. If for any reason there is

conflicting information about these rights in any other governance or policy documents, Article IV of this Constitution takes precedence.

Article V: Dues

Section 1: Members and dues shall consist of: a UTSWC portion, the amount of which shall be determined under the provisions of the UTSWC bylaws; a Parent dues portion, the amount of which shall be the higher of NEA or AFT membership dues (including any payments to AFL-CIO and any of its councils), added to EM membership dues (including any payments to Intermediate Organizations, Area Councils or Central Labor Bodies).

Section 2: The Parent dues shall be remitted to EM, which shall remit the proper portions to AFT, NEA and AFL-CIO.

Article VI: Officers

Section 1: The Executive Officers of the UTSWC shall be President, Vice President, Secretary and Treasurer.

Section 2: Membership in good standing for at least one year is required to hold office in the UTSWC.

Section 3: The President, Vice President, Secretary, and Treasurer of the UTSWC shall be elected to terms of three years as outlined in Section 4.

Section 4:

First year of three-year cycle (beginning in 2025), election for Vice President and Treasurer

Second year of three-year cycle, election for President and Secretary

Third year of three-year cycle, no regularly scheduled officer elections

Section 5: The President shall preside at all meetings of the UTSWC and is entitled to sit ex officio on any committee, shall appoint all committees and committee chairpersons and shall be chief executive officer with the power to sign documents on behalf of the UTSWC.

Section 6: The Vice President shall perform the duties and have the powers of the president during any absence of the President or inability of the President to act. In the event of a vacancy in the office of the president, the Vice President shall perform the duties of the President until a special election can be held to fill the vacancy. The Vice President shall be co-chair of the committees appointed by the President and of which they mutually agree.

Section 7: The Secretary shall keep all records including minutes of all UTSWC meetings, membership lists, and maintain a current web page. The Secretary shall be co-chair of the committees appointed by the President and of which they mutually agree.

Section 8: The Treasurer shall receive and disburse all funds of the UTSWC, shall prepare a monthly update of the UTSWC financial status, and shall submit an annual financial report to the President. The Treasurer shall be co-chair of the committees appointed by the President and of which they mutually agree.

Section 9: Each building shall elect at least one representative to a term of service. Buildings that have an FTE of 65 or more shall elect two full representatives. The building representative(s) shall report the proceedings of UTSWC General Membership meetings by holding a meeting in their building after each UTSWC General Membership meeting. Each building representative shall explain the position of all UTSWC committees, the Executive Board and General Membership decisions and initiatives.

Section 10: The Executive Board shall consist of the President, Vice President, Secretary, Treasurer and nine other UTSWC members appointed by the President and approved by a majority vote at a local meeting. No more than two members may be appointed from any one building.

Section 11: Racial and Ethnic Diversity: It is the goal of the UTSWC to have an executive board that is reflective of the racial and ethnic diversity of the membership. To aid in achieving this goal, the membership of the executive board may be augmented by the addition of members-at-large who are ethnic minorities appointed from the membership to the executive board. The number of new appointments of such executive board at-large members shall not exceed the same ratio as the percentage of minorities in the population of the state of Minnesota according to the last census.

Article VII: Disciplinary Action

Section 1: Disciplinary action, in the form of censure, suspension, or permanent expulsion, will not be taken against any member except for cause. Cause will relate to conduct prejudicial to the purposes of the local, which may include any one or more of the following:

1. Failure to remain a member in good standing with Education Minnesota, AFT, and NEA.
2. Substantial violation of the Code of Ethics of the Professional Educators Licensing and Standards Board or other licensing agency.
3. Violation of local policy in a crisis, which affects the entire school district.
4. Other good and sufficient cause whereby the conduct of the member would be prejudicial to the purposes of the local.

Section 2: Such action will be initiated by a complaint of a majority of officers of the local, with written notice to the member of the proposed action to be taken and the reasons thereof. Such notice will also include the statement that the member has ten (10) calendar days in which to request a hearing before the local executive board, or a special local discipline committee, at which the member is entitled to a representative of their choice to answer the charges and examine those making them.

Section 3. The hearing will be private or public at the choice of the member being disciplined, and the decision, by a simple majority, will be communicated in writing, to the member, accompanied by a memorandum of findings of fact, within ten (10) days of the close of the hearing. A tie vote will indicate no action will be taken.

Section 4. Any member censured, suspended, or expelled under these provisions will have the right of appeal to the full membership or representative body, if applicable, within ten (10) days of receipt of the decision. The appeal hearing will be presided over by the local president who will establish a procedure, which includes witnesses and right of cross-examination. A quorum will be

present. The decision will be made by secret ballot with a simple majority of the membership present and voting. In the case of a tie, with the president voting, no action will be taken.

Section 5. Communicate, in writing, the action to expel or suspend to the President of Education Minnesota.

Section 6. A member who is expelled or suspended from membership in the local, will have the right of appeal to the Education Minnesota Governing Board in accordance with such policies and procedures as the Board may adopt.

Section 7. Appeal to the AFT and NEA will be governed by the policies and procedures adopted by the AFT and NEA.

Section 8. Lawsuits. No person will initiate a civil action suit or proceeding in any court against the local or any of its officers, members, or employees, on account of any discipline unless such person has exhausted the remedies of hearing and appeal as provided in this Constitution.

Article VIII: Amendments

This constitution shall be amended as follows: the proposed amendment shall be submitted at any UTSWC local General Membership meeting, read to the assembled members and distributed to all members prior to the next local General Membership meeting. A 2/3 vote of those members present at the next local General Membership meeting shall be sufficient to adopt the amendment.

Updated 10/27/14
Amended 1/17/25