

**CONSTITUTION AND BYLAWS
SIOUX FALLS EDUCATION ASSOCIATION
Last Updated 4/15/2020**

Article I - Name

The name of this organization shall be known as the Sioux Falls Education Association and shall be referred to in the Constitution and Bylaws as the Association.

Article II – Objectives

The objectives of the Association shall be to (a) promote the welfare of educational employees through such means as bargaining, grievance processing, and political activity, (b) advance the cause of education on all levels, (c) improve the quality of teaching and education, and (d) speak for the membership on matters affecting education.

Article III - Place of Business and the Fiscal Year

The place of business and the Association office shall be in Sioux Falls, South Dakota. The fiscal year of this Association shall be from September 1 through August 31.

Article IV - Membership

Section I. Active Membership

1. All employees of the Sioux Falls Public Schools who have been certified by the South Dakota Division of Elementary and Secondary Education or holds a regular vocational or technical certificate and who are members of the South Dakota Education Association and the National Education Association shall be eligible for all membership services and privileges, including voting and holding elective office. The Association shall not deny membership to individuals on the basis of race, creed, national origin, gender, sexual orientation, or disabilities.
2. Active members shall adhere to the Code of Ethics of the Education Profession. Active members shall support the stated purpose and objectives of the Association.
3. Active membership shall be continuous until the member leaves the school system or resigns from the Association. Members who remain in the District and wish to discontinue their membership must notify the SFEA president in writing between September 1st and the 15th of that school year.
4. The Board of Directors shall have the authority to censure, suspend, or expel members for violations of Article IV. Charged members shall have the right to a due process hearing by the Board of Directors and the right to appeal to the general membership, which shall also afford a due process hearing.

Section II. Retired Membership

Any person who has been an active member of the Association at the time of permanent retirement because of age or disability may become a retired member. A retired member shall receive the official publications of the Association and may attend meetings of the Association. They shall have such other rights and privileges as determined by the Board of Directors.

Section III. Substitute Membership

An educational employee employed on a day-to-day basis shall be eligible for substitute membership. Substitute membership shall entitle the members to benefits specified by the Board of Directors. No person may hold substitute membership who does not hold state and national membership.

Section IV. ALLY MEMBERSHIP. Ally membership is open to individuals who support the principles and goals of the Association and who are not eligible for any other class of membership.

Ally Membership shall entitle the member to benefits to be specified by the SFEA Board of Directors except that Ally membership shall not allow governance rights in SFEA/SDEA/NEA legal rights, UniServ assistance nor liability protection from the Association.

Section V. Membership Year

The membership year shall be September 1 to August 31.

Section VI. Requirements

Only those who have paid all dues and obligations of any kind approved by the majority of those voting shall be entitled to membership privileges as provided elsewhere.

Article V - Dues

Section I. Active Membership Dues

The annual dues for all categories of active membership for the Sioux Falls Education Association shall be set at the Annual Meeting as part of the annual budget. Members joining in September and October shall pay 100% of the established SFEA dues. Returning members who have not been members for at least six months and new members who join during the membership year shall pay prorated and reduced SFEA portions of the total membership dues according to this schedule: November—90%, December—80%, January—70%, February—60%, March through August—50%. New enrollees as part of the SFEA/SDEA/NEA early enrollment period from April 1st – September 1st pay no dues until the following school year. The reduced rates shall be available only to persons who agree to continue active membership at the full annual rate for the ensuing membership year. Teachers in their first year of employment in the profession shall pay one-half of the SDEA and SFEA portions of the total membership dues. Thereafter they shall pay membership prorated according to FTE (50%, 75%, 100%).

The dues for active certified members employed at a public technical institute and not eligible for membership through any other educational assignment, as verified by the local association, shall be one half of active membership dues. Members at technical institutions paying the reduced membership dues are not eligible for dues reduction because of FTE or prorated local dues.

Section II. Substitute and Reserved Membership Dues

Dues for substitute and reserved membership (for those on a Leave of Absence) shall be \$10.00.

Section III. Late Hire

Dues for those who are employed by the Sioux Falls Public Schools after January 1 of any school year shall be one-half (1/2) of the annual rate of Active Membership Dues for the remainder of that year only. The full rate of dues shall be assessed for all other membership years.

Section IV. Special Assessments

Special assessments may be levied by a vote of the membership at either a general assembly or by ballot at the discretion of the President. A two-thirds (2/3) majority of the vote shall be necessary to adopt a special assessment.

Article VI - Elections and Terms of Office

Section I. Election

The Nominating Committee shall make at least one, but no more than two nominations for each of the following positions: President, Vice President, Executive Secretary, Directors, and Treasurer. Opportunity must be given for further nominations from the floor. Elections, including those that are uncontested, shall be by secret ballot and shall require a majority of all votes cast. If there is only one candidate per position at the Annual Meeting, a unanimous vote of the body would replace a secret-ballot vote.

Section II. Election and Campaign Procedures

Members who are candidates for an SFEA office and/or members who declare their candidacy for one of SFEA's local NEA-RA delegate positions must follow the election rules in SFEA's Election Policy.

Members who are candidates for an SDEA office, SDEA Board of Directors position, and/or members who declare their candidacy for one of the unit or at-large NEA-RA delegate positions must follow the election rules in SDEA's Election Policy must follow the applicable SDEA Election Rules Policy.

Section III. Special Election

Special elections to fill vacancies may be called by the Board of Directors pursuant to Article VIII. The Board of Directors shall determine nominations and election procedures for the special elections.

Section IV. Terms of Office

The President shall be elected for a term of three years. No person shall be elected to serve more than two consecutive terms.

The Treasurer shall be elected for a term of three years. No person shall be elected to serve more than two consecutive terms.

The Executive Committee Secretary shall be elected to serve a term of three years. No person shall serve more than two consecutive terms.

The Vice President and Directors shall be elected to serve for a term of three years. No person shall serve more than two consecutive terms per office.

Section V. Vacancies

In case of a vacancy in the office of President, the Vice President shall become president for the remainder of the unexpired term. In the case of a vacancy in the positions of Vice President, Treasurer, Executive Secretary, or Director, the President will appoint someone to the position with the approval of the Board of Directors.

Section VI. Representative Assembly - State and National

The Association shall determine delegates to the SDEA Representative Assembly who shall serve for a one-year term. The number of local delegates shall be apportioned to the total active membership as of February 1, as shown by Association records for the current membership year. One delegate will be allowed for the first fifteen members and one delegate for each additional fifteen members or a fraction thereof.

The Association may elect delegates to the NEA Representative Assembly as apportioned by SDEA/NEA if funding is available. Any unfilled positions shall be appointed by the President from the alternate delegate list in order of votes received.

Article VII – Officers

Section I. Structure

The officers of the Association shall consist of a President, a Vice President, and a Director from each of the three levels (elementary, middle school, high school) for a total of three vice-presidents, an Executive Committee Secretary, a Board of Directors Secretary, and a Treasurer.

Section II. Duties

The duties of the officers shall be as designated in this article.

A. President

1. Assume duties on July 1 following election.
2. To call, preside as chairperson, and prepare agendas for all meetings of the general assembly, the Board of Directors, and the Executive Committee and serve as the official representative of the Association.
3. To approve, in writing, all bills submitted to the Association for payment by the Treasurer or SFEA office secretary.
4. To notify committee members of appointments and act as an advisory ex-officio member of all committees unless otherwise provided in the Bylaws.
5. To ascertain that committees are functioning and when necessary call meetings of the committees.
6. To see that appropriate information sent to the President is transmitted to the Association's membership and/or to committee chairperson.
7. To prepare an agenda for distribution prior to each meeting over which he/she is to preside.
8. To keep appropriate files of materials to be turned over to the incoming President.
9. To submit to the membership at the Annual Meeting, a written report of work accomplished during the year.
10. To submit to the incoming President a revised President's Handbook.
11. May appoint a parliamentarian, whose duty it shall be to rule on all questions of procedure.
12. To assist the incoming President with his/her duties as requested.
13. To prepare necessary SDEA/NEA reports for the upcoming transition year for the incoming President.
14. To sit on the Superintendent's Cabinet, the Insurance Committee, and any other appropriate or assigned committees.
15. To communicate regularly with the membership (i.e. the Do You Know, Tempo).

B. Vice President

1. To preside at meetings when the President is unable to do so or when he/she wishes to leave the chair for any reason.
2. To be prepared to assist the President.
3. To act as advisory ex-officio members of all committees unless otherwise provided in the Bylaws.
4. To serve on the Membership Cadre
5. To help with the transition of the incoming Vice Presidents.
6. To serve as members of the Executive Committee and the Board of Directors.
7. To be prepared to assist the President as requested and to step in as President in case of the removal or death of the President until, at which time, an election can be held.

C. Executive Secretary

1. To record all minutes of the meetings of the general assembly, the Board of Directors, and the Executive Committee. All minutes shall be recorded in permanent form prior to the next meeting.
2. To send copies of all minutes to the President within five (5) school days after any meeting.
3. To help in the transition of the incoming Executive Committee Secretary.
4. To serve as a member of the Executive Committee and the Board of Directors.
5. To be prepared to assist the President as requested.

D. Directors

1. One Director will be elected to represent the following four (4) groups: High School, Middle School, Elementary and Non-Classroom Educators
2. To communicate the issues of each respective representative group to the Board of Directors and the Executive Committee.
3. To be prepared to assist the President and Vice President.
4. To act as advisory ex-officio members of all committees unless otherwise provided in the Bylaws.
5. To help with the transition of the incoming Directors.
6. To work with the Vice President to create relationships with the members
7. To serve as members of the Executive Committee and the Board of Directors.

F. Treasurer

1. To monitor the recording of all receipts and disbursements by the Association and file federal tax forms.
2. To monitor the payment of all bills approved in writing by the President.
3. To make all books and financial records available for inspection by an auditor at the direction of the President and/or the Board of Directors or Executive Committee.
4. To present monthly reports of the financial standing of the Association as requested by the President.
5. To be prepared to assist the President as requested.

Section III. President's Salary

Payment for the position of President of the Sioux Falls Education Association shall be calculated in one of two ways, and each month the Association will reimburse the District for the President's salary:

1. 12-month President: The President shall be paid five fourths (5/4) of the President's salary as negotiated on the salary schedule for that current year. As a 12-month employee, the District shall from July 31 through June 30 make twelve (12) equal salary payments directly to the President. SFEA shall reimburse the District monthly for the total amount of the President's salary. Through a Memorandum of Understanding, SDEA may agree to reimburse up to .25 of the total cost of the President's released time salary. If the President returns to his/her position in the District following his/her terms in office, the President will not receive salary payments in July and August of the final year in office because he/she will be reassigned from the July1-June 30 payroll schedule to the September-June or September-August payroll schedule the following school year, depending on whether the outgoing President selects the 10- or 12-month pay option.
2. 10-month President (if financial constraints warrant this): The President shall be paid the regular teaching salary as negotiated on the salary schedule for that current year. The salary payments shall be paid in ten (10) or twelve (12) equal installments, depending on whether the outgoing President selects the 10- or 12-month pay option. The salary payments shall be made directly to the President by the Sioux Falls School District. SFEA shall reimburse the school district monthly for the total amount of the President's salary. Through a Memorandum of Understanding, SDEA may agree to reimburse up to .25 of the total cost of the President's released time salary.

Section IV. Impeachment

Officers of the Association may be impeached for violation of the state's Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

- A. Impeachment proceedings against an officer may be initiated by written petition submitted to the Board of Directors by at least twenty-five (25) 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 office may appeal the decision to a special meeting of the general membership. A two-thirds (2/3) vote of the Association members present at the appeal shall reinstate the officer.

Article VIII - Board of Directors

Section I. Structure

The Board of Directors shall consist of the officers, and at least one (1) Association Representative for each building or attendance center.

Section II. Duties

The Board of Directors is the policy-making body of the Association. It may act without referendum ballot on all items pertinent to the following:

- A. Approval of committee appointments.
- B. Approval of expenditures within the established budget.
- C. Acceptance of committee reports.
- D. Establishment of new committees.
- E. Vacancies which occur on the Executive Committee may be filled either by special election or by an appointment approved by a two-thirds (2/3) vote of the Directors present at the meeting.
- F. Performance of all other functions usual to the Board of Directors of a professional association.

Section III. Executive Committee

A. Structure

The Executive Committee shall consist of the elected officers named in Article VII, Section I and such others as the President may appoint.

B. Duties

1. To meet, at the discretion of the President, prior to or in conjunction with the Board of Directors meetings as the executive body of the Association. The time and place of these meetings shall be determined by the President.
2. To serve as members of the Board of Directors.
3. To recommend action to the Board of Directors and/or the general assembly.
4. To submit to the Board of Directors for approval, all SFEA committee/team appointments.
5. To prepare and submit the budget at the first fall meeting of the Board of Directors.
6. To exercise the duties of the Board of Directors during non-school months.
7. To perform all other duties usual to the executive body of a professional association.
8. To attend the SDEA RA.
9. To participate in the Executive Leadership summer retreat.

Section IV. Memorandum of Understanding

A written Memorandum of Understanding which would amend the negotiated Agreement shall be approved by the Sioux Falls Education Association's Executive Committee and other relevant levels of decision makers according to SFEA policy prior to the President of the Association and the Superintendent signing a Memorandum of Understanding.

Section V. Emergency Action

The Board of Directors may, by a two-thirds (2/3) majority vote, declare that an emergency exists with regard to those items normally referred to the Association membership.

Upon the declaration of such an emergency, an immediate vote may be taken. A three-fourths (3/4) majority vote of the members of the Board shall be requested to act under these conditions.

Section VI. Meetings

The Board of Directors shall meet once monthly, unless voted otherwise by the Board of Directors or due to circumstances beyond our control, during each school month, the time and place of these meetings to be determined by the President. The meeting dates for the school year will be given to the Board of Directors at the start of the school year. At the President's discretion, a meeting date may be changed. A quorum is considered when ten (10) or more buildings are represented at Board of Directors' meetings. At the President's discretion, a Board of Directors' member could attend via technology. Additional meetings may be called by the President or by petition of fifteen (15) percent of the Board of Directors membership.

Section VII. Referendum

Any action not restricted to the sole action of the Board of Directors may be referred to a vote of the Association membership as provided herein. Any member of the Association may request a referendum vote by petition. No less than fifteen (15) percent of the Association's membership must sign said petition. Said petition shall be filed with the President of the Association no later than ten (10) school days after the date of enactment of the policy upon verification of the petition.

No later than five (5) school days after receipt of the petition, the President shall cause to be circulated in all buildings, ballots to decide the matter at issue. The ballot may be done electronically as long as it is determined to be secret and secure. Attached to said ballot shall be a statement to explain the issue. Within five (5) calendar days, the Association Representatives shall tabulate the results of the ballot and return them to the President for final tabulation. Said tabulation shall determine the fate of the challenged action, a simple majority of the membership being required to rescind the act. The results of all tabulations of referendum votes by building shall be made public to the membership of the Association.

Section VIII. Ethnic-Minority Representation

The Association shall make every effort to encourage the participation of ethnic-minority members on the Board of Directors.

Article IX - General Assemblies

Section I. Annual Meeting

One regularly scheduled general assembly or Annual Meeting of the Association shall be held each year, not earlier than April 1, the exact time and place of the meeting to be determined by the President with written notice of meeting given to membership at least five (5) school days in advance. The Annual Meeting may be run in conjunction with but separate from the monthly BOD Meeting. A quorum is

considered when ten (10) or more buildings are represented at Annual Meetings. The agenda of said meetings shall include:

- A. Reports of officers.
- B. Committee Reports
- C. Consideration of Unfinished Business.
- D. Consideration of New Business.
- E. Determination of local dues for the succeeding year which the Executive Committee or its designee will use to help create a budget to be presented to the Board of Directors for approval at the first **Board of Directors' meeting in the fall.**
- G. Report of the Nominations Committee. There will be individual ballots distributed to all members within 10 calendar days of the Annual Meeting.

Section II. Special Meetings

Additional general assemblies may be called by the President or by a petition signed by one-third (1/3) of the members of the Association, with written notice of the meeting to be given at least two days in advance.

Section III. Contract Ratification Meetings

The President shall call a meeting of the membership to vote on a Tentative Contract Agreement.

A quorum shall be required in order to conduct a vote. Twenty (20) percent of the membership shall constitute a quorum. Bargaining unit members must be in good standing and present at the single ratification meeting in order to vote on a tentative agreement. If the ratification meeting is called during the summer, absentee ballots will be available at the Association office for five (5) business days following the ratification meeting.

Article X – Committees

Section I. Appointment

All committees shall be appointed by the Executive Committee with the approval of the Board of Directors unless otherwise provided.

Section II. Term of Office

The term of office on all committees shall be determined by the Executive Committee and approved by the Board of Directors.

Section III. Standing Committees

A. Negotiations Team

1. Structure

- a. The Negotiations Committee shall consist of no fewer than three (3) members and make every effort to include at least one member from every work group within the bargaining unit. The President of the Association must be involved in the negotiations process but may not serve as chief negotiator.
- b. The Negotiations Table Team shall have at least 3 members but no more than the number allowed by the Negotiated Agreement. 3 of those members should include the president, the chair of negotiations (if not the president) and the chief negotiator.

2. Duties

- a. To develop a set of proposals dealing with salaries, fringe benefits, and other working conditions important to the welfare of the Association's membership.

- b. To negotiate with the Board of Education on behalf of the Association.
 - c. To inform, update, and consult with the Uni-Serv Director on a regular basis during the negotiations process and to report periodically to the membership the progress of negotiations.
 - d. To report and make recommendations regarding ratification of tentative agreements. The membership of the Association shall vote on the Tentative Agreement. Members present shall vote at the meeting. If the ratification of contract meeting is called during the summer, absentee ballots will be available at the Association office for five (5) days following the membership meeting.
 - e. To conduct a meeting of the members to ratify the contract.
- B. Grievance Committee
1. Structure
The Grievance Committee shall consist of no fewer than five (5) members.
 2. Duties
 - a. To process grievances according to the negotiated policy.
 - b. To seek assistance of state or national affiliated associations in situations which the SFEA cannot resolve locally.
- C. Membership Team
1. Structure
 - a. The Membership Committee shall consist of no fewer than three (3) people and at least 1 member of the executive committee.
 2. Duties
 - a. To promote Association membership.
 - b. To organize and conduct the targeted membership campaigns.
 - c. To develop and assist with special membership activities.
- D. Government Relations Committee
1. Structure
The Government Relations Committee shall consist of no fewer than five (5) members.
 2. Duties
 - a. To maintain contact with other supportive organizations.
 - b. To implement a legislative contact system with area legislators.
 - c. To inform both itself and membership of proposed legislation at the state level.
 - d. To actively support legislation beneficial to education.
 - e. To set up and moderate the Legislative Meet-n-Greet before the Legislative Session.
 - f. To work with the Chamber of Commerce on the Legislative Coffees held during Legislative Session.
- E. Nominations Committee
1. Structure
The Nominations Committee shall consist of no fewer than two (2) members.
 2. Duties
 - a. To submit at least one but no more than two nominations for each of the following positions:
 - President
 - Vice President
 - Director (one elected from each level of elementary, middle school, high school,)
 - Executive Secretary
 - Treasurer
 - b. To report names of nominees to the membership at the Annual Meeting.

G. KEY Network

1. Structure

- a. The KEY Network shall consist of no fewer than five (5) members. The chair of the KEY Network will also serve as a member of the Government Relations Committee

2. Duties

- a. To organize and conduct screenings of school board candidates with other District bargaining unit representatives.
- b. To make recommendations to the membership of KEY Network's selected candidate(s).
- c. To help the recommended candidate(s) with campaigns.
- d. To produce campaign materials for distribution to membership.
- e. To work with other supportive organizations as needed.

H. Social Justice

1. Structure

The Committee shall consist of no fewer than (4) members.

2. Duties

- a. To make nominations for the SDEA Human and Civil Rights Award
- b. To promote belonging within the Association for minority teachers
- c. To promote understanding and belonging to teachers in buildings with high minority populations
- d. To promote understanding of cultures
- e. To promote understanding and connectedness among minority students and non-minority students in our district.
- f. To work with SDEA, NEA, and NCUEA to promote social justice and stand against racism within our schools, our district, and our community.
- g. To serve our district and community on social justice issues

I. Sioux Falls Young Educators

1. Structure

The SFYE Committee may consist of any number of members, but will have a Chair and a Secretary.

2. Duties

- a. To support educators, especially those newer to the profession
- b. To positively promote membership for newer members
- c. To plan social, service, and/or professional development opportunities for newer educators
- d. To advocate for the needs of younger educators
- e. To network across the state and country with other newer educators

J. Media

1. Structure

The Media Committee may consist of up to 5 members.

2. Duties

- a. To promote the Association via Media
- b. To communicate with members via Media
- c. To assist the President in all things Media
- d. To assist in all decision-making about use of Media within the Association
- e. To do Media training as needed for members

K. Data Committee

1. Structure

- The Data Committee will consist of at least 3 members.
2. Duties (To be developed as we develop this committee further this year.)
 - a. To track membership trends, especially new hire and young hire trends
 - b. To use data to predict trends
 - c. To use data to understand the relationships between variables (membership and a membership event of some sort)
 - d. To use data to track the growth of the Association in any variety of areas
 - e. To use data to track any Association dissatisfaction that leads to membership drops
 - f. To use data to move the Association in any number of ways

Section IV. Special Committees

The structure and duties of all special committees shall be determined by the Board of Directors.

Section V. Negotiated District Committees

The following committees have been negotiated between the District and the Association:

- Calendar (3) members, one from each level, and the SFEA President
- Extra Duty Appeals (3 members)
- Graduate Credit Degree Advancement (3 members)
- Insurance (1 member, typically the president)
- Professional Travel (3 members)
- Program Enhancement Project Proposals (4 members)
- Sick Leave Assistance (3 member)
- Insurance Committee (1) – This is typically the president.

The Negotiated Agreement and Committee Guidelines shall contain Negotiated District Committee structure and procedures. No person may serve more than 4 consecutive years on a committee, unless there are no other individuals interested in serving. With the 2019-2020 school year, at least one person may be replaced on each committee.

Article XI - Association Representatives

Section I. Structure

Each building or attendance center shall have representation by Association Representatives prior to the September meeting of the Board of Directors. Either the building membership or the President shall determine selection of the Association Representatives.

Section II. Duties

- A. To serve as a member of the Board of Directors of the Association.
- B. To attend all meetings of the Board of Directors or to send an alternate in his/her place.
- C. To foster communication between the Board of Directors and the faculty represented, and to report the requests/concerns of each to the other.
- D. To promote and aid Association membership.
- E. To positively promote and represent the Association in his/her building, the district, and state.
- F. To distribute and collect materials and communications as directed by the President and/or designee.
- G. H. To arrange successor(s), and to inform the President by May 15.
- I. To perform other duties as requested by the Board of Directors or the majority of the members of the Association within his/her building.

Article XII - Rules of Order

Roberts Rules of Order, Revised, shall be the authority on all questions of procedure.

Article XIII - Authority

The Association shall comply with all affiliation requirements of the SDEA and the NEA.


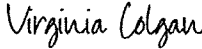
Article XIV - Bylaws

Section I.

Any three or more members of the Association may submit an amendment of the Bylaws. The amendment, in writing, shall be given to an Association Representative or a member of the Executive Committee who shall submit the proposed change to the Board of Directors for consideration. Approval by a majority of the Board of Directors shall constitute a proposal of the amendment. Upon proposal, the amendment shall be put to a ballot vote of the membership at the Annual Meeting. A two-thirds (2/3) majority of those voting shall be necessary for ratification. An amendment shall become effective immediately upon ratification.

Section II.

Any motion passed at a regular meeting of either a general assembly or the Board of Directors which provides for permanent practice shall be dated and become a part of the Bylaws or policies. They shall be filed and permanently preserved by the Executive Committee Secretary.

SFEA President	<small>DocuSigned by:</small>  <small>8F53EB30D6F44D5...</small>	<hr/> 6/15/2020
SFEA Executive Secretary	<small>DocuSigned by:</small>  <small>4BA1BEC650F74F2...</small>	<hr/> 6/16/2020