



Bylaws  
Education Association of St. Mary's County

**ARTICLE I - NAME**

The name of this Association shall be the Education Association of St. Mary's County (EASMC), hereafter referred to as the Association.

**ARTICLE II - PURPOSE**

The Association was formed to educate, organize, and mobilize its members to advance public education. The Association exists to unify and strengthen the non-supervisory employees in the St. Mary's County Public Schools (SMCPS) by enabling members to speak with a common voice on matters of mutual concern and to represent members before the SMCPS administration, the Board of Education, and other appropriate legal entities. EASMC seeks to promote the value of non-supervisory public school employees in the education system and to advance standards in the trades and professions

**ARTICLE III - AFFILIATION**

This Association shall be affiliated with the Maryland State Education Association (MSEA) and the National Education Association (NEA).

**ARTICLE IV - MEMBERSHIP**

**Section 1. Membership Classes**

There shall be two classes of membership: Active and Retired.

**Section 2. Active Membership**

Active membership shall be open to all employees of the Board of Education of St. Mary's County who (1) are employed on a regular, full-, or part-time basis, (2) who are designated as part of the non-supervisory certificated or non-supervisory non-certificated bargaining units pursuant to Title 6, Subtitles 4 and 5, of the Education Article, and (3) who agree to abide by the Association Ethics Policy.

### **Section 3. Retired Membership**

Any active member who retires from SMCPs shall be eligible for retired membership. All retired members shall also be retired members of the MSEA and the NEA. Retired members shall have the right to vote and to elect delegates to the Representative Assembly, and other benefits determined by the policies of the EASMC.

### **Section 4. Membership Period**

Membership shall continue from September 1 through August 31. Membership shall be continuous until the member leaves the school system, resigns from the Association as described in Section 7 of this Article, or fails to pay membership dues.

### **Section 5. Membership Exclusions**

The Superintendent and any individual who is a member of the Board of Education of St. Mary's County's negotiating team shall be denied membership in the Association.

### **Section 6. Revocation of Membership**

According to procedures adopted by the Representative Assembly, the Board of Directors may suspend from membership or expel any member who has violated the Association Ethics Policy or acts contrary to the purpose of the Association as expressed in Article I. An Association member, previously suspended or expelled, may be considered for reinstatement through written request to the Review Board.

### **Section 7. Membership Withdrawal and Revocation of Dues Authorization**

A member may withdraw from Association membership by notifying the Association in writing at any time. However, in order to revoke the annual dues authorization, a member must send a letter with original signature via U.S. mail to the Association during the designated drop period identified on the current membership application.

## **ARTICLE V - OFFICERS AND BOARD OF DIRECTORS**

### **Section 1. Offices of the Board of Directors**

The Board of Directors shall consist of the following ten (10) offices.

- a. Four (4) Executive Officers (All Active Members): To ensure a balance of power, the offices of President and Vice-president will be elected as a slate with one being a certificated and the other being a non-certificated bargaining unit employee.
  - 1) Release-time President (not in the same bargaining unit as the Vice-president)
  - 2) Vice-president (not in the same bargaining unit as the President)
  - 3) Treasurer
  - 4) Secretary

- b. Six (6) Members-at-Large (Five Active Members and One Retired Member): In order to ensure fair and accurate representation, Members-at-Large will be apportioned based on the relative percentage of each bargaining unit size to the total combined size of both bargaining units as of October 31 of the fiscal year during which elections are conducted, as indicated in the table below. One (1) of the six (6) Member-at-Large offices will be held for a retired member. The retired Member-at-Large shall count towards the quantity of allocated Members-at-Large based on the bargaining unit from which he/she retired. If there is no retired member candidate at the close of nominations, then all six (6) Member-at-Large offices shall be filled with active members according to the table below.

| Certificated % of Combined Units' Size | Non-certificated % of Combined Units' Size | Resulting Qty. of Certificated Members-at-Large | Resulting Qty. of Non-certificated Members-at-Large |
|--|--|---|---|
| 1% -19%                                | 80-99%                                     | 1   | 5   |
| 20% - 39%                              | 60% - 79%                                  | 2   | 4   |
| 40% - 59%                              | 40% - 59%                                  | 3   | 3   |
| 60% - 79%                              | 20% - 39%                                  | 4   | 2   |
| 80% - 99%                              | 1% - 19%                                   | 5   | 1   |

**Section 2. Eligibility to Run for Office**

- a. President: To be eligible to run for President, a member must:
- 1) Be an active member of the United Education Profession in good standing for the entire two membership years prior to nomination and at the time of nomination, and remain a dues paying member while in office;
  - 2) Be a member of the certificated or non-certificated bargaining unit; and
  - 3) Have served for one complete elected or appointed term on the local EASMC (or previously the Collective Education Association of St. Mary's County) Board of Directors, or have served four of the last ten years as a designated local Association Representative and have served two of the last ten years as an active local or state Association committee member (may have served simultaneously).
- b. Vice-president: To be eligible to run for Vice-president, a member must:
- 1) Be an active member of the United Education Profession in good standing for the entire two membership years prior to nomination and at the time of nomination, and remain a dues paying member while in office;
  - 2) Be a member of the certificated or non-certificated bargaining unit; and
  - 3) Have served for one complete elected or appointed year on a local Association Board of Directors, have served two of the last ten years as a designated local Association Representative, or have served one of the last ten years as an active local or state Association committee member.
- c. Other Executive Offices and Members-at-Large: To be eligible to run for an executive office other than President or Vice-president, and to be eligible to run for a Member-at-Large office, a member must:
- 1) Be an active member of the United Education Profession in good standing for the entire membership year prior to nomination and at the time of nomination, and remain a dues-paying member while in office; and

- 2) Be a member of the certificated or non-certificated bargaining unit.

### **Section 3. Eligibility to Remain in Office**

An officer must be a member in good standing of the United Education Profession during the term of office. An executive officer or other member of the Board of Directors who is grossly negligent in the performance of the duties of his/her office, becomes incapacitated, or is accused of misconduct may be removed for cause. Proceedings against an officer or Board member may be initiated by written petition submitted to the Review Board by at least fifteen (15) percent of the Representative Assembly or by 2/3 of the Board of Directors. Upon receipt of the petition, the officer or Board member may be suspended pending further proceedings. The Review Board shall conduct a hearing ensuring appropriate due process protections. If the Review Board sustains the charge, then it shall present the matter to the Association Representatives at a meeting called to consider the Review Board's report, which shall be announced ten (10) days prior to the meeting date. Provided that there is a quorum present, it requires a majority vote of the elected Association Representatives to declare the office vacant.

### **Section 4. Executive Officers**

- a. The President, Vice-president, Secretary and Treasurer shall serve three-year terms with a maximum of two consecutive terms in the same office and shall be elected in the same year.
- b. All officers shall assume office on July 1.

### **Section 5. Members-at-Large**

- a. Members-at-Large shall also serve three-year terms with a maximum of two consecutive terms in the same office and shall be elected in the same year.
- b. All Members-at-Large shall assume office on July 1.

### **Section 6. Election Cycle**

The Executive Officers and Members-at-Large shall be elected and serve according to a three-year cycle with regular elections occurring in the spring of 2017 and every three (3) years thereafter as described in Article IX.

The election of all officers shall be through open nomination, by secret ballot, and in conformity with the one-person, one-vote rule.

### **Section 7. Vacancy**

Should a vacancy occur in any office, except for that of the President (as provided by Article IV, Section 2), the Representative Assembly shall fill that vacancy until the next annual election (Article V, Section 1-f). The Nominations, Elections and Credentials Committee shall then provide for the election of a successor by ballot of the entire membership during the next election cycle; the elected successor shall only complete the remaining term (Article III, Section 6) for that vacancy.

### **Section 8. Disability of Release-time President**

If the President is released by the Board of Education to serve as President and is receiving a salary from the Association via reimbursement to the Board of Education, an insurance policy shall be maintained on the President to cover the President's salary should the President become medically unable to complete the President's term. The proceeds of this policy shall be used to reimburse the Association for the cost of the President's salary and other expenses resulting from the President's release time status through the end of the fiscal year. If the President is denied, ineligible for, or refuses EASMC disability insurance coverage, then the Association will not be bound to pay the President for time not worked should the President become medically unable to complete the President's term.

## **ARTICLE VI - DUTIES OF OFFICERS AND BOARD OF DIRECTORS**

### **Section 1. The President**

- a. The President shall preside at all meetings of the Association and shall call special meetings when necessary.
- b. The President shall be an ex-officio member (without voting rights) of all committees except the Audit Committee and the Nominations, Elections and Credentials (NEC) Committee.
- c. The President shall appoint all internal EASMC committee members except the Audit Committee and the Nominations, Elections, and Credentials Committee. The Board of Directors shall approve all committee appointments made by the President.
- d. The President shall appoint all EASMC representatives on external committees including Board of Education, MSEA, and NEA committees. The Board of Directors shall approve all committee appointments made by the President.
- e. The President shall appoint all EASMC committee chairs except the Chair of the St. Mary's Educators Fund for Children and Public Education, and the Chair of the Legislative Committee. The Board of Directors shall approve all chair appointments made by the President.
- f. The President shall be responsible for all records of the Association.
- g. The President shall ensure that these Bylaws and established Association policies are upheld in the conduct of Association business.
- h. The President shall report his/her activities at each meeting of the Board of Directors, membership, and Representative Assembly.
- i. The President shall implement the annual Association program and associated budget as approved by the Board of Directors and the Representative Assembly.
- j. The President shall perform such functions as may be approved by the Board of Directors/Representative Assembly, or which are customarily performed by the president of an Association including the right to delegate certain duties to the officers.
- k. The President shall serve as spokesperson for the Association;

- I. The President will act as a liaison between the Association and the following.
  - 1) The members of the EASMC bargaining unit
  - 2) The SMCPs Central Office
  - 3) The Board of Education of St. Mary's County
  - 4) The local, state and national elected officials
  - 5) The local, state and national affiliates

### **Section 2. The Vice-president**

- a. The Vice-president shall perform the duties of the President in the President's absence.
- b. The Vice-president shall assume the office of President and complete the unexpired term should the office of the President become vacant.
- c. The Vice-president shall serve as one of the approved signatories on all checks. Funds shall be disbursed over the signature of both the Treasurer and the Vice-president within limits of the Association budget.

### **Section 3. The Secretary**

- a. The Secretary shall keep complete minutes of all official proceedings of this Association.
- b. The Secretary shall maintain electronic records of such proceedings and shall distribute copies of such proceedings when directed to do so by the President.
- c. The Secretary shall maintain electronic attendance records for all official meetings of this Association.
- d. The Secretary shall monitor, document, and advise the President of the quorum status during all official meetings of this Association.

### **Section 4. The Treasurer**

- a. The Treasurer shall receive all funds of the Association and shall deposit them in a bank and in the name of the Association.
- b. The Treasurer shall serve as one of the approved signatories on all checks. Funds shall be disbursed over the signature of both the Treasurer and the Vice-president within limits of the Association budget.
- c. A bookkeeper and/or accountant will be provided to assist the treasurer in preparing and filing tax forms including the State of Maryland Personal Property Form 1 and IRS Form 990 to maintain the Association's 501(c)(5) status with the IRS and its corporate charter in the State of Maryland; preparing payroll checks and required filings; completing an annual audit as required; and completing required monthly financial reports.

- d. The Treasurer shall prepare and present to the Representative Assembly and Board of Directors a monthly financial report of the Association and a summary report at the end of each fiscal year as described below.
  - 1) Balance Sheet
  - 2) Profit and Loss Detail (Budget vs. Actual Revenues and Expenses by Line Item)
  - 3) Detailed List of All Monthly Transactions
- e. The Treasurer shall be a member of the Membership Committee and the Budget Committee.
- f. The Treasurer shall uphold and enforce the accounting and fiscal policies of the Association, and report any aberrations and irregularities to the Board of Directors for a final ruling when necessary.

### **Section 5. The Members-at-Large**

- a. There shall be six (6) Members-at-Large on the Board of Directors apportioned based on the relative percentage of each bargaining unit size to the total combined size of both bargaining units, as described in Article III, Section 1.
- b. Members-at-Large shall carry out Board of Director duties described in Article IV, Section 6 below.

### **Section 6. The Board of Directors**

- a. The Board of Directors shall meet at least one week prior to the regular meeting of the Representative Assembly or when called by the President or a simple majority of the Board of Directors. A simple majority of filled positions will constitute a quorum at a Board of Director meeting.
- b. The Board of Directors shall attend and support meetings of the Representative Assembly.
- c. The Board of Directors shall aid in upholding and implementing the policies established by the Representative Assembly.
- d. The Board of Directors shall carry out administrative affairs and management of the Association.
- e. The Board of Directors shall aid in the implementation of the annual program by serving as liaison to assigned schools and committees, attending the meetings of those committees to which they are liaison, and attending meetings pivotal to the Association mission.
- f. The Board of Directors shall uphold the annual budget approved by the Representative Assembly and formally approve (1) non-recurring expenses exceeding \$700, (2) expenses in excess of a budgeted line item, and (3) requests to transfer funds from one line item to another.
- g. The Board of Directors shall receive and review all minutes and reports of EASMC and Board of Directors meetings.

- h. The Board of Directors shall approve all committee and chair appointments made by the President.
- i. The Board of Directors shall call special elections.

The Board of Directors may use an electronic voting system on a limited basis to handle emergency topics that do not require significant debate and that cannot wait until the next regularly scheduled meeting. Electronic votes and comments relative to the emergency topic shall be shared with the entire Board of Directors. The final tally of votes shall be documented electronically by the Secretary, shared with the entire Board of Directors, and reaffirmed during the next Board of Director meeting.

## **ARTICLE VII - REPRESENTATIVE ASSEMBLY**

### **Section 1. Powers and Duties of the Representative Assembly**

The Representative Assembly shall consist of the officers, Board of Directors, and Association Representatives from each building in the County. The Representative Assembly shall be the primary policy-making body of the Association. It shall:

- a. Adopt the agenda and rules governing its meetings;
- b. Establish and adopt Association policies and objectives;
- c. Adopt guidelines for nominations and elections;
- d. Adopt the annual program and associated operating budget, and approve any requests to exceed the total approved budget;
- e. Establish dues;
- f. Fill vacancies occurring in all offices except that of the President (Article VI, Section 2) until an election is held during the next subsequent annual election;
- g. Elect annually from among its members a Nominations, Elections and Credentials Committee;
- h. Elect, on the same election cycle and for the same term as the Officers, the St. Mary's Educators Fund for Children and Public Education Chair, who shall also serve as EASMC's representative to the MSEA's Endorsement Council, for a term of three (3) years;
- i. Elect annually from among its members an Audit Committee;
- j. Elect annually from among its members a Legislative Committee Chair;
- k. Establish or discontinue committees and task forces;
- l. Amend the Association Bylaws in accordance with Article XV; and

- m. Enact such other matters as may be necessary to achieve the objectives of the Association.

## **Section 2. Duties**

The following shall be the responsibility of duly elected Association Representative.

- a. Attend scheduled meetings of the Representative Assembly and represent the views and interests of their site membership. If a work site unit is not represented for several consecutive meetings of the Assembly without a legitimate excuse, then the President may declare the office vacant, and appoint or call for a site member election to complete the unexpired term.
- b. Conduct site meetings of the Association members to discuss Association business, serve as liaison for Association communications, conduct elections, enroll members, and represent the interests of their site members.

## **Section 3. Eligibility**

- a. Association Representatives shall be active members of the United Education Profession.
- b. Association Representatives for retired members shall be retired members of the United Education Profession.

## **Section 4. Allocation of Site Association Representatives**

- a. A site unit shall be defined as any one or more of the following.
  - 1) Each school(s) organized under one (1) principal or site administrator
  - 2) Each site, other than a school, at which eligible personnel are assigned
  - 3) The class of retired members
- b. Each May, members in good standing at each site unit shall elect one (1) representative and one (1) alternate for every 12 members or fraction thereof based on the office membership counts as of the prior March 1.
- c. Each site unit shall minimally have two Association Representatives with one representative from the certificated bargaining unit and the other representative from the non-certificated bargaining unit.
- d. Representatives and alternates shall serve a term of one (1) year from September 1 to August 31 with elections being held in May of the prior year.
- e. In site units where there is more than one (1) representative, the elected representatives shall operate as a single team and designate one representative of that unit to serve as the primary communications point of contact (POC) for the Association office.
- f. The Board of Director members shall be voting ex-officio site representatives whose attendance counts towards a quorum.

- g. Members of the Board of Directors may serve as the elected Association Representatives of their respective units.

### **Section 5. Meetings**

- a. The Representative Assembly shall meet at least once each month from September through May on dates published at the September meeting.
- b. Any member may attend meetings of and speak to a motion before the Representative Assembly, but only accredited Association Representatives and Board of Directors members may vote on motions.
- c. Other meetings of the Representative Assembly may be called by the Board of Directors.
- d. Robert's Rules of Order (latest revision) shall be the governing authority on all matters of procedure not otherwise provided for in these Bylaws.

### **Section 6. Quorum**

One (1) or more Association Representatives from fifty-one (51%) percent of the site units shall constitute a quorum, and there must be a minimum of one-third (1/3) of the accredited Association Representatives present at the meeting. The Secretary shall maintain electronic attendance records, including the quorum status, for all official meetings of this Association.

## **ARTICLE VIII - SPECIAL MEETINGS**

Special meetings of the membership shall be called by the President at the request of the Representative Assembly, at the request of a simple majority of the Board of Directors, or on the written petition of 10% of the Association members.

## **ARTICLE IX - ELECTIONS**

### **Section 1. Internal Association Elections**

The Nominations, Elections and Credentials Committee shall prepare guidelines for the nomination, election and accreditation of the executive officers, members of the Board of Directors, and delegates. Such guidelines and an election calendar shall be presented annually to the Representative Assembly for review and adoption by December 31. These guidelines shall include but not be limited to provisions for the following.

- a. Opening of nominations by individual members.
- b. Distribution and collection of nomination packages at least 30 days prior to the election, when possible.
- c. Publication of the list of nominations prior to the election.
- d. Secret ballot election by the membership.

- e. Distribution, collection and tally of the ballots.
- f. Election of the President/Vice-president slate by a majority of the valid ballots cast or by acclamation where only one slate is nominated.
- g. Election of other executive officers, members of the Board of Directors, and delegates by a plurality of the valid ballots cast or by acclamation where only one candidate is nominated.

## **Section 2. Delegate Elections**

Local delegates to the MSEA and NEA Representative Assemblies shall be elected in accordance with the guidelines prepared by the Nominations, Elections, and Credentials Committee and adopted by the Representative Assembly. Such guidelines shall include provision for meeting the requirements of the Constitution and Bylaws of the MSEA and the NEA.

## **Section 3. Board of Directors Elections**

- a. Board of Directors members shall be elected in accordance with the guidelines set forth in Article III, Sections 4, 5, 6, and 7.
- b. Should a vacancy occur in any office of the Board of Directors, the Nominations, Elections and Credentials Committee shall provide for the election of a successor by ballot of the entire membership, except as provided in Article IV, Section 2 and Article V, Section 1-f.

## **Section 4. Election Disputes**

The Nominations, Elections and Credentials Committee shall be the final arbiter of election disputes. Any dispute regarding the election must be presented to the Committee within five (5) work days of the announcement of the results.

# **ARTICLE X - DELEGATES TO MSEA AND NEA CONVENTIONS**

## **Section 1. Eligibility**

Delegates elected to the conventions of the MSEA and the NEA must be members of the United Education Profession during the entire membership year of their election and during the entire membership year in which they serve as delegates.

## **Section 2. Board of Directors as Delegates**

All members of the Board of Directors shall serve as MSEA Delegates. The President and Vice-president shall serve as NEA Delegates.

## **Section 3. Election of Other Delegates and Alternates**

Other Delegates and Alternates to the NEA and MSEA conventions shall be chosen by the entire membership with at least one Delegate being from each of the certificated and non-certificated bargaining units. Delegates and Alternates to the NEA and MSEA conventions shall be elected during the annual election of the Board of Directors.

#### **Section 4. Determination of Alternate Delegates**

Alternate Delegates shall be those not elected initially and shall serve in the order of votes received during the election.

#### **Section 5. Notification of Alternate Delegates**

The President shall have the authority to notify Alternates when Delegate vacancies occur. Alternates who decline to serve shall forfeit the position of Delegate.

### **ARTICLE XI – COMMITTEES**

#### **Section 1. Presidential Appointments**

The President, with the approval of the Board, shall appoint all standing committee chairs who will serve during that officer's term as President, except the Nominations, Elections, and Credentials, Committee Chair, the Audit Committee Chair, and the Legislative Committee Chair, and may complete such appointments prior to assuming office. These appointments shall be presented to the Board of Directors for approval for the new school year no later than at the September meeting.

#### **Section 2. Presidential Recommendations**

With Board of Director approval, the President shall recommend members of the Association to the President of the MSEA for service on committees of that organization.

#### **Section 3. Committee Chair Reports**

All committee chairs shall electronically submit to the Association Office Manager for the subsequent Representative Assembly a monthly report of the activities of their committees during the previous month. Committee chairs shall electronically submit to the Association Office Manager an annual report of accomplishments to be shared with the Representative Assembly at the last meeting of the year.

#### **Section 4. Appointed Standing Committees**

The following standing committees shall be appointed annually.

- a. A ***Budget Committee*** shall be appointed to prepare an Association budget to implement the program plan for presentation to the Board of Directors at its March meeting. The Board of Directors' final recommendation shall be presented to the Representative Assembly at its April meeting. The Treasurer shall be a member of this committee.
- b. A ***Bylaws Committee*** shall be appointed to evaluate as needed the Bylaws and then make recommendations for amendments first to the Board of Directors and then to the Representative Assembly for approval.
- c. A ***Legislative Steering Committee*** shall be appointed to support the election of candidates who support public education, to study and suggest legislation

concerning public education, and to work with corresponding committees of the MSEA and the NEA. The Representative Assembly shall elect the chair from among its members.

- d. A **Membership Committee** shall be appointed to write and implement the membership plan, to verify and reconcile membership records, and to plan and implement the Association portions of new employee orientations. The Treasurer shall be a member of this committee.
- e. An **Instructional and Professional Development Committee** shall be appointed to encourage, endorse, promote, plan, and implement activities to ensure educator success and activities to build the capacity of current and future EASMC leaders.
- f. A **Diversity and Human Rights Committee** shall be appointed to promote the participation of a diverse group of members in the Representative Assembly, on committees, on the Board of Directors, and at conferences and conventions; to identify and monitor diversity policies and practices affecting members; and to support the diversity interests of members.

### **Section 5. Elected Standing Committees**

The following standing committees shall be elected annually.

- a. An **Audit Committee** (to exclude members of the Board of Directors) to verify the bank accounts and treasury records of the Association. Working with the bookkeeper or accountant, the Audit Committee shall study the fiscal records of the Association biannually for the prior six months and prepare a report including recommendations to the Board of Directors for review and subsequent presentation at the December and May meetings of the Representative Assembly.
- b. A **Nominations, Elections and Credentials Committee** to plan, announce, conduct, and document all internal Association elections as well as elections for delegates to the MSEA and NEA Representative Assemblies.

### **Section 6. Special Committees**

Special committees may be appointed by the President with the approval of the Board of Directors and shall be appointed at the direction of two-thirds (2/3) of the attending Representative Assembly.

## **ARTICLE XII - PARLIMENTARY AUTHORITY**

### **Section 1. Proceedings**

Robert's Rules of Order (latest revision) shall govern the proceedings of this Association at all times, except when they are not consistent with the Bylaws. Robert's Rules of Order (latest revision) shall also be the governing authority on all matters of procedure not otherwise provided for in these Bylaws.

## **Section 2. Parliamentarian**

With the approval of the Board of Directors, the President may appoint at the beginning of each year a parliamentarian who shall serve as advisor in matters concerning these Bylaws.

## **ARTICLE XIII - REVIEW BOARD**

### **Section 1. Composition**

The Review Board shall be composed of five (5) members appointed by the President with the advice and approval of the Board of Directors for one three-year term beginning September 1 of the President's term. A member shall be eligible for reappointment for one additional term.

### **Section 2. Qualifications**

- a. Members of the Review Board shall have been members of the Association for three (3) consecutive years immediately prior to appointment and shall maintain membership in the Association during their terms.
- b. A member of the Review Board shall hold no elected office in the Association, other than delegate to the MSEA and the NEA conventions.
- c. No officer or other member of the Board of Directors shall be appointed to the Review Board within two (2) years following separation from such office.

### **Section 3. Jurisdiction**

The Review Board shall perform the following.

- a. Rule on matters of policy and Bylaw interpretation referred to it by the Board of Directors or Representative Assembly in accordance with Association policy.
- b. On matters of policy and Bylaw interpretation, coordinate with MSEA General Counsel who will be the final judge on such matters.
- c. The Review Board shall have jurisdiction in a case of charges against an officer or Board member.
- d. The Review Board shall have jurisdiction in alleged violations of the Association Ethics Policy.
- e. The Review Board shall have jurisdiction in the censure, suspension, or expulsion of a member.
- f. The Review Board shall have jurisdiction to review, as necessary, an action of the Board of Directors or Representative Assembly for consistency with the Bylaws of the Association and to recommend remedial action, if necessary.
- g. Requests for review may be made by the Board of Directors or by petition of ten (10) percent of the elected Association Representatives of the Representative Assembly.

#### **Section 4. Rules of Procedure**

- a. The members of the Review Board shall select the chair from its members.
- b. Each year, the Review Board shall adopt and submit to the Board of Directors by November its own rules of procedure with the advice of MSEA's General Counsel, or counsel of the Association's choosing.

### **ARTICLE XIV - GENERAL FINANCE**

#### **Section 1. Fiscal Year**

The fiscal year of the Association shall be September 1 to August 31.

#### **Section 2. Annual Operating Budget**

A budget for the Association's next fiscal year shall be adopted by the Representative Assembly each year no earlier than the May meeting provided that the Budget Committee shall have presented a proposed budget at least one month prior.

#### **Section 3. Release Time President's Salary**

- a. If the President is released from the Board of Education to serve as Association President, it will be the Association's responsibility to reimburse the Board of Education for the President's salary based on his or her appropriate placement on the negotiated agreement with an adjustment to compensate for an extended EASMC duty year if the President's regular position with SMCPs requires less duty days than does EASMC at the time of election.
- b. Regardless of the position held with the Board of Education prior to being elected, the Release Time President shall be no less than an exempt ten-month position with an established minimum annual salary of \$75,000 effective July 1, 2017. The amount of the annual salary shall be set subsequently by the Representative Assembly every three years in the November prior to elections.
- c. The Association shall pay the President 110% of the established minimum salary if the Association desires an 11-month Release Time President position. The Association shall pay the President 120% of the established minimum salary if the Association desires a 12-month Release Time President position.
- d. The Association shall match the salary of Presidents who have a higher annual Board of Education salary than the minimum annual Association salary by reimbursing the Board of Education for the President's full salary.
- e. If the Association is paying the President in excess of the established minimum annual salary in order to match the President's Board of Education salary prior to the President's release, and the President's Board of Education salary is based on working more months per year than the Association currently requires, then the President shall be required to work the equivalent number of months for the matched salary.

#### **Section 4. Expense Reimbursement**

Reimbursement for official expenses may be limited by the budget and shall be made only in conformity with the policies approved by the Representative Assembly. In no event shall mileage reimbursements exceed that amount allowed by the IRS on federal taxes.

#### **Section 5. Revisions to the Adopted Budget**

The overall budget may be amended during an operating fiscal year only by action of the Representative Assembly except that the Board of Directors may authorize the transfer of unused funds within one budget category to another budget category for use. Such a transfer must be documented via a revised budget and reported at the subsequent Representative Assembly during the Treasurer's monthly financial report.

#### **Section 6. Bonding of Treasurer**

Adequate bonding shall be required of the treasurer.

#### **Section 7. Dues.**

- a. The Board of Directors may establish, through its policies, an appropriate local dues structure for members other than Active members.
- b. The dues of Active members shall be set annually by the Representative Assembly at the time it adopts the next fiscal year budget. Dues set based on member salary must be equal across both bargaining units.
- c. Active members may pay EASMC-MSEA-NEA dues either by payroll, by check, or electronically on the MSEA web site; however, if the full dues amount is not received by October 1 from a member not on payroll deductions, then the President may suspend that person's Active membership until full dues are paid in accordance with the Board of Director's policy.
- d. Through the Negotiated Agreement, the Board of Education has agreed to deduct the full year's EASMC-MSEA-NEA dues for members who have voluntarily authorized such deductions. Payroll deductions for annual dues are continuing from year to year. Cancellation of dues deduction can be affected only by written notice with original signature sent by mail to the President of the Association and post-marked between September 1 and September 20. For any member who ceases employment with or retires from the Board of Education, for other than critical illness, disability or military transfer, the Board, through the negotiated agreement, will deduct from the final paycheck any balance due the Association for dues for that membership year.
- e. Annual EASMC dues for persons eligible for Active membership who are employed fifty (50) percent or less of the normal schedule for a full-time member in that same job position shall be no more than one-half (1/2) the dues set in the budget for full-time Active members.
- f. Annual EASMC dues for an Active member on approved leave of absence shall be full dues if such leave is with full pay; one-half (1/2) dues if such leave is less than fifty percent (50%) pay; and no dues if such leave is without pay.

- g. However, if any member is placed on involuntary leave without pay as a result of administrative action, such as, but not limited to, layoff or dismissal (being contested), such a member shall pay one-tenth (1/10) dues to EASMC.
- h. But, if any member on involuntary or voluntary leave qualifying for reduced or pro-rated dues reverts to full or part-time status within a school year with appropriate pay, or commences the year in that status, dues shall be what is otherwise payable.
- i. Members on military deployment will have their dues deferred for the time of their deployment. Upon return, dues will be prorated.
- j. The annual and/or lifetime membership dues for eligible Retiree members shall be set annually by the Representative Assembly at the time it adopts the next fiscal year budget.
- k. Pre-retirement dues for active members shall be set annually by the Representative Assembly at the time it adopts the next fiscal year budget.

### **Section 8. Association Liquidation**

In the event that EASMC is no longer operational, all EASMC assets will be liquidated and the moneys will be placed in a trust through MSEA for organizational purposes.

## **ARTICLE XV - AMENDMENTS**

Proposed amendments to the Bylaws may be proposed by the Board of Directors, upon recommendation of its Bylaws Committee, the Representative Assembly, or by a petition to the Board of Directors signed by 20% of the general membership.

The proposed amendments as well as notice of the meeting/vote to take action on said amendments shall be distributed to the membership at least 20 days prior to the meeting wherein the vote will be conducted.

The Bylaws may be amended by a two-thirds (2/3) vote of the Representative Assembly voting on the amendment.

## **ARTICLE XVI - CONTRACT RATIFICATION GUIDELINES**

### **Section 1. Voting**

The ratification of the proposed contract shall be voted on by members of the EASMC except where otherwise statutorily required.

Prior to the vote, a list of the proposed changes to the contract or the contract itself shall be distributed to the Association Representatives. Distribution shall occur at least one week prior to the vote when possible.

If using printed official ballots, voters will be required to sign a list of Association members in order to receive the ballot. Since all votes are secret, there will be no hand counts. If the vote

is conducted by printed ballot, the count will be certified by an EASMC Association Representative and a Negotiating Team member by signing the total ballot count.

If the vote is conducted electronically, then membership status shall be verified and the final results certified by the Nominations, Elections and Credentials Committee.

A majority vote of those voting is required in order to adopt the proposed contract.

## **Section 2. Recordkeeping**

If printed ballots are used, the ballots will be sealed, sent to the EASMC Office Manager to tabulate the results, and retained by the Association for the duration of the contract. If the vote is conducted electronically, then the final results must be stored electronically for the duration of the contract.



Bylaws  
Education Association of St. Mary's County

**TABLE OF BYLAW AMENDMENTS**

| RA Approval Date | Revision Number | Summary of Changes  |
|------------------|-----------------|---|
| 06/08/90         | Original        |   |
| 09/17/90         | 1               |   |
| 08/31/93         | 2               |   |
| 05/08/01         | 3               |   |
| 01/08/02         | 4               |   |
| 05/11/04         | 5               |   |
| 12/13/05         | 6               |   |
| 11/09/07         | 7               |   |
| 05/13/08         | 8               |   |
| 06/12/12         | 9               |   |
| 10/08/13         | 10              | Improves readability with format and heading changes. Increases Board of Director terms to three years. Requires disability insurance for release time president. Clarifies treasurer responsibilities. Provides for electronic voting in special circumstances. Addresses allocation of Sr. Certified Reps. Clarifies appointed versus elected positions to match policy manual. Lists all standing committees to match policy manual. Specifies final jurisdiction on matters of bylaw and policy interpretation. Requires certified mail and clarifies dates for membership termination. |
| 06/09/15         | 11              | Removes language alluding to the release time president's assignment as part-time or full-time, or as ten-, eleven-, or twelve-month so that the Representative Assembly is free to make decisions based on EASMC's evolving needs and resources, and so that the position of release-time president is not limited to 10-month employees. Removes the requirement that dues be set relative to the teacher salary scale.   |
| 06/07/16         | 12              | Removes the special reference to registered nurses, Junior Reserve Officer Training Corps (JROTC) instructors, and those who hold professional certificates granted by the Maryland State Department of Education since they are now included via legislation. Makes non-supervisory non-certificated bargaining unit members eligible for EASMC membership.  |
| 01/10/17         | 13              | Merges the interests of both the certificated and the non-certificated bargaining units and redesigns the Board of Directors structure as a result of the September 2016 merger of EASMC and CEASMC, and the subsequent dissolution of CEASMC.  |

| RA Approval Date | Revision Number | Summary of Changes  |
|------------------|-----------------|---|
| 09/10/19         | 14              | Clarifies processes for membership withdrawal and dues revocation (two different processes). Removes dues authorization drop period from the bylaws and refers members to the current membership application for ready and convenient access. |