



A Union of Professionals

CONSTITUTION AND BY-LAWS OF THE USCEA

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ARTICLE I – NAME

This organization shall be known as the Upper St. Clair Education Association.

ARTICLE II – AFFILIATIONS

Section 1 The Upper St. Clair Education Association will maintain affiliation with, and whenever possible, send representatives to meetings of the following organizations:

- A. The American Federation of Teachers
- B. AFT Pennsylvania
- C. The Southwestern Pennsylvania Area Council

Section 2 All delegates sent to any conventions by the Association shall be required to make reports to the Executive Council and publish their reports in the membership newsletter.

ARTICLE III – OBJECTIVES

The purpose of this organization shall be:

- A. To unite teachers in programs of mutual assistance and cooperation.
- B. To obtain for the membership the rights, privileges and remunerations to which they are entitled.
- C. To raise the standards of the teaching profession by securing and maintaining the conditions essential to the best professional service.

- D. To promote the welfare and progress of the children of the community by providing them with a sound educational atmosphere.

ARTICLE IV – MEMBERSHIP

- Section 1 Membership in this Association shall be limited to professional employees of the Upper St. Clair School District who are enrolled as active or associate members of the Upper St. Clair Education Association, AFT Pennsylvania and the American Federation of Teachers. In addition, the privileges and benefits of membership shall be extended without payment to active members on military leave and to associate members (any person interested in education, i.e.: Retired members, members on sabbatical and leave of absence) who pay the annual dues to USCEA, AFT PA, AFT and such local coordinating council and regional dues as are constitutionally instituted.
- Section 2 No discrimination for membership or application for membership shall be based on race, religion, national origin or political beliefs.
- Section 3 Members on unpaid leave pay no dues during the time of their leave. Members on sabbatical leave must maintain their membership by paying 100% of their yearly dues.
- Section 4 Supervisory personnel with the rank of associate principal or curriculum leader or above shall not obtain membership. Members who are promoted to positions with the rank of associate principal or above shall be removed from membership on the effective date of the promotion.
- Section 5 Applications for membership in this organization whose employment status is not clearly defined under the provisions of this constitution may be elected to membership by a majority vote of the Executive Council.

ARTICLE V – OFFICERS

- Section 1 Officers shall include the following: President, High School Vice-President, Middle School Vice-President, Elementary School Vice-President, Secretary and Treasurer. They shall be elected biannually by the Association membership and may succeed themselves.
- Section 2 The expenses of the officers shall be paid by using the following formula: President – 1.5% of Step 1 Masters, Officers - .75% Step 1 Masters. Changes shall be voted on by a simple majority of the Executive Council.

ARTICLE VI – DUTIES OF OFFICERS

- Section 1 The President shall preside at all meetings of the Association and of the Executive Council; shall be an ex-officio member of all committees except the audit committee; shall sign all necessary papers for the Association; shall represent the Association when and where necessary; shall make a report to the membership at least once a year summarizing the state of the Upper St. Clair Education Association. This report may be presented orally or in writing as the President may choose.
- Section 2 The President shall appoint one of the Executive Officers to perform all of the duties of the President in the absence of the President. In the event of the resignation of the President, or if other circumstances would prevent the President from performing the duties of his office for a period longer than two months, the Executive Council shall appoint a President with a simple majority of votes.
- Section 3 The Secretary shall issue all notices; shall answer all correspondence at the direction of the President; shall report all incoming correspondence to the President and/or Executive Council; shall be the custodian of the seal and charter of the Association; shall be responsible for the recording of all meetings of the Executive Council; shall keep the minutes of the meetings from year to year as part of the archives of the Association; shall publish minutes of the general membership meetings for distribution to the membership.
- Section 4 The Treasurer shall receive, record and deposit, in the name of the Association, all dues and monies from other sources; keep the membership roll; issue receipts and issue delinquent notices; forward all per capita dues and current membership lists to the national office of the American Federation of Teachers and to other affiliate organizations; maintain complete and accurate records which will be kept available at all times for inspection and examination by the Executive Council, the auditing committee or other agencies having reason to see them; pay all bills authorized by the budget or by the Executive Council and retain for the records a voucher or invoice for the same.
- Section 5 Each elected officer, President, Vice-Presidents, Secretary and Treasurer, may attend the state and national convention as a delegate without standing for election.

ARTICLE VII – EXECUTIVE COUNCIL

- Section 1 The Executive Council shall consist of the following elected members: The officers of the Association, four representatives elected by the membership in the elementary buildings (one representative from each building and one at large); four representatives elected by the membership in the middle school buildings (two from each building); four representatives elected by the membership in the high school. Two alternate representatives elected at large for each level (elementary, middle school, high school) by the members in those areas. Those who have served as President of the organization, if still members in good standing, may remain as nonvoting members of the Executive Council.
- Section 2 The Executive Council shall determine and administer Association policy.
- Section 3 The President of the Association shall be chairperson of the Executive Council and the spokesperson for the Association.
- Section 4 The time and place of the Executive Council meetings shall be set by the chairperson and approved by the Council. The Executive Council will meet at least once a month during the school year. The President may convene the Executive Council at any time and may, under emergency circumstances, maintain the council in continuous session by recess rather than adjournment.
- Section 5 The Executive Council shall have the power to employ, at Association expense on a full or part time basis, personnel including but not limited to an executive secretary, clerical help, and other such persons as may be needed to carry out Association business.
- Section 6 The Executive Council shall report on its activities at each regular meeting of the general membership. Any member who wishes to present business before the Executive Council may do so by contacting the Association President or Secretary and stating the nature of the business.
- Section 7 The quorum of the Executive Council shall be fifty-one percent of its total membership.

ARTICLE VIII – COMMITTEES

- Section 1 The following standing committees shall be chosen by the President with the advice and consent of the Executive Council:
- A. Membership
 - B. Publicity
 - C. Grievance
 - D. Sick Bank

- E. Act 48
 - F. Scholarship
 - G. Political Action Committee (formerly COPE)
- Section 2 The following special committees may be appointed by the President:
- A. Budget
 - B. Audit
 - C. Nominating
 - D. Gifts/Benevolence
 - E. Negotiations

Section 3 The President of the Association may create ad hoc committees to deal with special situations, which may arise and would be in the best interests of the Association and its membership to deal with them in said manner. The creation of any such ad hoc committees may not in any way abrogate any provision of this constitution or any contract which may then be in effect.

Section 4 Chairpersons of all committees shall be appointed by the President with the advice and consent of the Executive Council.

ARTICLE IX – DUTIES OF STANDING COMMITTEES

Section 1 The Membership Committee shall plan and execute a program, which shall insure the growth and vitality of the Association.

Section 2 The Act 48 Committee, comprised of teachers and administrators, shall plan and monitor the district's inservice program. It also monitors and tracks the recertification hours that are required by the state.

Section 3 The Scholarship Committee shall request, review and reward a yearly stipend to a worthy graduating senior who is planning to enter the field of education.

Section 4 Sick Bank Committee shall administer the USCEA Sick Leave Bank including the enrollment of new members and the review of individual requests for sick days.

Section 5 Political Action Committee shall encourage and facilitate voluntary membership in the state and local government process.

Section 6 The Publicity Committee shall prepare and distribute on a regular basis information concerning the Association and its activities. This committee may, if it so chooses, sponsor an Association publication.

Section 7 The Grievance Committee shall act on all grievances submitted to it by the membership of the Upper St. Clair Education Association. It shall present a report of all grievances to the President and to the Executive Council at its regular meeting.

ARTICLE X – DUTIES OF SPECIAL COMMITTEES

Section 1 The Budget Committee shall prepare a budget for adoption by the membership within the first sixty days of the school year. The fiscal year shall begin September 1 and end at midnight August 31.

Section 2 The Nominating Committee shall be selected at least forty days prior to the election of local officers. The Nominating Committee shall prepare a slate of officers to present to the Executive Council at least ten days before the election. The slate, with any corrections, shall be prepared and distributed to the membership at least five days prior to the election.

Section 3 The Audit Committee shall audit the Treasurer’s books and year-end report. The report of the Audit Committee shall be presented in written form at the general membership meetings in September or October and then shall be filed as part of the records of the Association.

Section 4 The Negotiating Committee shall be appointed by the President of the Association with the approval of the Executive Council. The President may or may not chair this Committee as directed by the Executive Council. The Committee shall consist of such number of persons determined to be manageable and necessary by the Executive Council. Objectives will be determined after Association members have been surveyed in all elementary, middle and high school buildings. This committee shall, while engaged in active negotiations, be empowered to make whatever decisions it deems necessary in pursuit of its objectives. However, no authorization may be given which would result in the withholding of services without consent of the general membership.

ARTICLE XI – MEETINGS

Section 1 The time and place of meetings shall be fixed by the President of the Association and/or the Executive Council.

Section 2 There shall be at least one meeting of the general membership every school year. As warranted by circumstances, the President of the Association may convene the general membership at any time, including the months of June, July and August.

Section 3 A quorum shall be necessary to conduct business. A quorum shall consist of ten percent of the total membership.

ARTICLE XII – RULES OF ORDER

Roberts Rules of Order, Revised, shall be the guide employed at all general membership meetings. The procedure for all other meetings will follow procedures set forth in the Constitution

ARTICLE XIII – FINANCE

Each member shall pay such dues, at such time, and in such a manner as the membership shall from time to time decide and enact in the by-laws.

ARTICLE XIV – BY-LAWS

The membership may enact such by-laws as are consistent with this constitution and the constitution of the American Federation of Teachers.

ARTICLE XV – AMENDMENTS TO THE CONSTITUTION AND BY-LAWS

Section 1 Amendments to the Constitution: Amendments to this constitution may be made at any meeting by a two-thirds vote of the membership present provided that the proposed amendments were submitted in writing to the membership at least two weeks prior to the meeting at which they are to be presented and voted upon. The proposed amendment shall be included in the notice for the regular or special membership meeting.

Section 2 Amendments to the By-Laws: Amendments to the by-laws may be made at any meeting by a majority vote of the members present provided that the proposed amendments were submitted in writing to the membership at least two weeks prior to the meeting at which they are to be presented and voted upon. The proposed amendment shall be read at the membership meeting and shall be submitted to the present members for adoption.

ARTICLE XVI – ANNUAL ASSOCIATION DUES

Section 1 The annual association membership dues for all professionals employed full-time shall be determined by the Executive Council and voted on by the membership.

Section 2 Effective September 1, 1982 and continuing thereafter, the Upper St. Clair Education Association total annual membership dues shall increase at such

time as the AFT National per capita and/or AFT PA State per capita may be increased, except when such AFT and/or AFT PA per capita increases take effect after October of any year. The resulting commensurate increase in the Upper St. Clair's total annual membership dues shall take effect beginning the following September.

ARTICLE XVII – METHOD OF DUES PAYMENT

- Section 1 Dues shall be paid by dues check-off, lump sum payment, or two equal installment payments.
- Section 2 The dues' year shall be from September 1 through June 30.

ARTICLE XVIII – MEMBERSHIP STANDING

- Section 1 Members not on dues check-off who fall more than six months behind in their dues payments shall no longer be considered in "good standing."
- Section 2 Only members in "good standing" shall be eligible to vote at Association meetings or in Association elections.

ARTICLE XIX – MEMBERSHIP DURATION

- Section 1 First year employees may join at any time during the school year. Dues will be assessed beginning with their initial date of employment. All other employees wishing to become members will be assessed from the beginning of the current school year.
- Section 2 The annual membership continues automatically from year to year.
- Section 3 Termination of membership may occur following the expiration date of the applicable collective bargaining agreement and only upon written notice by the member to the Association, provided said notice has been submitted no later than twenty days prior to the expiration date of the applicable collective bargaining agreement.
- Section 4 An annual membership automatically terminates if the member separates from employment with the Upper St. Clair School District, unless the member elects to continue his membership subject to any applicable provisions of the constitution and by-laws of the Upper St. Clair Education Association.

Section 5 A member on leave of absence from the Upper St. Clair School District may maintain their active membership.

ARTICLE XX – ELECTION OF OFFICERS, OTHER EXECUTIVE COUNCIL MEMBERS AND DELEGATES

Section 1 Officers shall be chosen by secret ballot during the election by the general membership which shall be held no later than the second week of April of each even numbered year.

Section 2 Members of the Executive Council shall be chosen by secret ballot during the election held by each building membership which shall be held no later than the third week of April of each even numbered year.

Section 3 The Nominating Committee shall determine ballot positions by lot and shall proceed with the conducting of the election by secret mail ballot with such election to be conducted during the month of April.

Section 4 Ballots for the election of officers shall be mailed to all members in “good standing” no later than the start of the first full week in April and no less than seven days prior to the final date for return of ballots.

Section 5 Ballots mailed to eligible voters shall include an official ballot envelope into which the completed ballot shall be deposited and sealed by the voting member. Directions for voting shall accompany each mailed ballot.

Section 6 Completed and sealed ballots may be mailed or delivered to the return address and/or agent assigned by the Nominating Committee. In either case, ballots shall be deposited immediately upon receipt into a sealed ballot box.

Section 7 The final date for receipt of returned ballots shall be no later than the last day of April.

Section 8 The ballots shall be opened and tallied, and the results announced in one and the same operation with such operation to occur no later than the end of the last day of April.

Section 9 The Nominating Committee shall appoint tellers, either from its own membership or other designees, who shall count the ballots in the presence of the full Nominating Committee and its designees, as well as any watchers named by the candidates.

Section 10 The Nominating Committee shall establish the procedure for voting and tabulating ballots, ground rules for the entire election proceedings, and

criteria for validity of ballots. No procedure shall be established which is not consistent with the provisions of the constitution and the by-laws of this organization or with the constitution of the American Federation of Teachers, or with state and federal laws governing such elections.

- Section 11 In case of a tie, the winner shall be decided by a majority vote of the current Executive Council in attendance.
- Section 12 All members shall be notified by appropriate publication, and, as quickly as possible, the results of the election.
- Section 13 Exceptions to the election dates and deadlines that are established in the constitution and the by-laws of this organization may be permitted in emergency situations subject to the approval of the Executive Council.
- Section 14 Vacancies created in the office of Vice-Presidents, Secretary, Treasurer and Executive Council shall be filled from the Upper St. Clair Education Association membership by a majority vote of those present of the Executive Council.
- Section 15 Officers and Executive Council shall enter upon their duties on the first day of May following the April election.
- Section 16 The two alternate representatives elected at large for the elementary buildings and the two alternate representatives elected at large for the middle school buildings may not be from the same building.

ARTICLE XXI – CONTRACT RATIFICATION

- Section 1 Upon the decision of the Negotiations Team, a proposed contract may be submitted to the Executive Council with a recommendation.
- Section 2 Upon decision of the Executive Council, the contract may be submitted to all members of the Association with a recommendation.

ARTICLE XXII – CONTRACT RATIFICATION PROCEDURES

- Section 1 The following procedures will apply to all meetings pertinent to contract ratification meetings:
- A. Only Association members plus the chief negotiator, AFT personnel, and the parliamentarian may be present at the meetings and only members have the right to vote.

- B. Meetings pertinent to contract ratification will be held off school property.
- C. A resource committee, appointed by the President, using a complete membership list, will sign members into the meetings, distribute and collect written proposals if necessary, distribute ballots and, count votes.
- D. Each Association member shall receive a written copy of each contract article. Parts of the contract may be typed as agreed upon and may result in a "piece meal" preparation of the document. Written contract proposals shall be given only to members and issued by number. These proposals shall be returned at the end of the ratification vote meetings if necessary at the discretion of the negotiations committee.
- E. A member of the Association who is not a member of the negotiating team should conduct the meetings. The President shall choose a member from the list of volunteers.
- F. The negotiations team shall work until a contract settlement is approved by the membership.
- G. In the event that a contract proposal has not been presented to the membership by the first day of school, a general membership meeting will be called.
- H. No press release or outside public discussion concerning the contract proposals prior to the vote should take place, except by the Upper St. Clair Association President or the Chief Negotiator.

Section 2 The procedures for each of the two meetings shall be:

- A. A minimum of three microphones should be available throughout the audience to enable members to hear all of the contract discussion and to help avoid confusion and misunderstanding.
- B. Members in good standing must be given three days written notice of the initial contract ratification meeting. Notifications shall include business to be transacted, and date, time, and location of meeting.
- C. Rules for the first meeting shall be as follows.
 - 1. The purpose of this meeting is solely for the explanation of the proposal by team members and for questions from the membership for clarification purposes.

2. Members may ask only questions concerning the contract. They may not speak to the content of articles until the final ratification meeting.

Section 3 The procedures for the ratification meeting.

- A. The purpose of this meeting is to conduct a committee of the whole or open discussion of the articles. (The chairperson will call for discussion of each article in the order it appears in the proposal.)
- B. There will be at least a twenty-four hour waiting period between the start of the meeting to present and explain the contract and the actual ratification vote at the second meeting. The length of the time between the meetings shall be at the discretion of the executive committee.
- C. Decisions will be by majority rule of those present when the vote is taken at the second meeting.
- D. The rules of order for the second meeting shall be:
 1. All speakers must use microphones if they are present.
 2. Each article may be discussed by the committee of the whole, each member will have the opportunity to speak to a particular article.
 3. Speakers for each article will appear at a microphone, alternating for and against opinions when possible.
 4. No one speaker is entitled to address a given article a second time as long as any other member who has not spoken on this article desires the floor.
 5. Discussion of one article would be limited to ten minutes maximum unless a motion would be made, seconded, and passed by voice vote of those present to extend the time.
 6. Voting shall commence and end at a time determined by the Executive Committee and announced no later than the first meeting. Members present would vote by secret ballot. Each member will vote to accept or reject the entire proposal as a package. A simple majority is needed to pass.
 7. In the event that a contract proposal would be rejected, a strike or other alternatives would be voted on by secret ballot.

E. The Executive Board will determine by a majority vote how the results of the voting are to be disseminated

ARTICLE XXIII – STRIKE VOTE

- Section 1 A strike vote may include the date the strike is to begin, or it may authorize the Executive Council to establish the date.
- Section 2 All votes to strike must be taken by secret ballot and passed by a majority of those present.
- Section 3 All votes to end a strike must be taken by secret ballot and passed by a majority of those voting.

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