

BILLINGS CLASSIFIED EMPLOYEES ASSOCIATION  
CONSTITUTION

May 15, 2019

ARTICLE I - NAME, PURPOSE, AND GOVERNANCE

Section 1 The name of this organization shall be the Billings Classified Employees Association (BCEA), a unit of the ~~MEA-MFT~~ **Montana Federation of Public Employees (MFPE)**, the National Education Association (NEA), and the American Federation of Teachers (AFT).

Section 2 The purpose of this organization shall be to represent its members with their employer, to promote and protect the interests and welfare of its members, to promote the public schools, to encourage members to exercise their rights and privileges as citizens, to promote professional attitudes and ethical conduct among members, and to hold property and funds for Association purposes.

Section 3 The Association shall be governed by this Constitution, by the governance documents of the ~~MEA-MFT~~ MFPE, and by such other actions as may be taken by its membership consistent therewith.

ARTICLE II - AFFILIATION

Section 1 The Association shall be a chartered local of the ~~MEA-MFT~~ **MFPE** and under its rules.

Section 2 The Association shall be a chartered local of the National Education Association (NEA) and the American Federation of Teachers (AFT) and under their rules.

Section 3 The Association shall comply with all affiliation requirements of the ~~MEA-MFT~~ **MFPE** the National Education Association (NEA), and the American Federation of Teachers (AFT). Any part of these policies and procedures found to be in conflict with the Constitution or By-laws of either the ~~MEA-~~

~~MFT MFPE~~ or the National Education Association (NEA) or the American Federation of Teachers (AFT) shall be declared null and void.

### ARTICLE III - MEMBERSHIP

#### Section 1 ACTIVE MEMBERSHIP

A. Active membership is offered upon payment of dues to all persons employed by the Billings Public Schools who are represented by the Association in collective bargaining.

B. Active members shall hold appropriate memberships in the ~~MEA-MFT~~ MFPE, the National Education Association (NEA), and the American Federation of Teachers (AFT).

C. Application is necessary for membership. The Association shall not deny membership to individuals on the basis of race, creed, sex, age, or national origin.

#### Section 2 CONTINUATION OF ACTIVE MEMBERSHIP

A. Active membership shall be continuous until the member ceases employment, resigns from the Association, or is suspended or expelled.

### ARTICLE IV - REPRESENTATION FEE

Section 1 An employee paying only the Representation Fee to the BCEA shall not have the right to hold an office nor the right to be a voting member of the Association.

### ARTICLE V - LEGISLATIVE AUTHORITY

#### Section 1 BUILDING REPRESENTATIVE COUNCIL

A. The authority to establish Association policies, objectives, annual budget, and dues shall be vested in the Building Representative Council.

B. The Building Representative Council shall consist of the officers, directors and building representatives who shall each have one vote.

C. The Building Representative Council will normally meet two times during the school year. Once in September and once in May on a day determined by the Building Representative Council and at other times as determined by the Council, the Executive Board, or the President. A simple majority of the Council shall constitute a quorum.

## ARTICLE VI - EXECUTIVE BOARD

### Section 1 - EXECUTIVE BOARD

A. The Executive Board of the Association shall consist of the President, Vice President, Secretary, Treasurer, Director-at-Large, and Area Directors.

B. The Executive Board shall be empowered to function as the executive authority of the Association during the summer break.

C. The Executive Board shall be responsible for the initial drafting of the annual budget.

D. The Executive Board shall function as the executive authority of the Association. The Executive Board shall be responsible for managing the affairs of the Association, approving budgeted expenditures, and carrying out the adopted policies and business of the Association. It shall act for the Association between meetings of the Building Representatives. The Executive Board shall strive to have proportional representation of ethnic minorities.

E. The BCEA Executive Board shall provide for an annual financial review of the Association by a committee of the membership.

F. The Executive Board shall take office at the June Executive Board meeting following the annual election.

G. The Executive Board shall establish director areas based on an equivalent number of members in each area within a deviation of not greater than 20 percent. Areas will be adjusted as necessary.

H. The Executive Board shall have authority to create additional Area Director positions as needed to provide proportional representation of ethnic and gender minorities.

## Section 2 VACANCIES

A. If a vacancy occurs in the office of the President, the Vice President shall immediately assume the duties of the President.

B. In the event of a simultaneous vacancy of the office of both the President and Vice President, a special election shall be held.

C. In the case of a vacancy in an office other than the presidency, such office shall be filled by appointment of the President.

## Section 3 TERMS AND DUTIES OF PRESIDENT

A. The President shall serve a two-year term as chief administrative officer beginning in odd-numbered years, and shall prepare an agenda for and preside at all meetings of the Association.

B. The President shall appoint all committees subject to the approval of the Executive Board and shall be an ex-officio member of all committees, including the Negotiations Committee.

C. The President shall represent the Association before the Central Administration of the School District, the Board of Trustees, the media, and shall perform all other functions as directed by the Executive Board and Building Representative Council.

D. The President shall be empowered as a signatory on any financial transactions of the Association.

~~E. The President shall serve as a member of the MEA-MFT Board of Directors as Chair for District 27.~~

F. The President shall serve as an elected delegate to the ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting** and the NEA Representative Assembly.

## Section 4 TERMS AND DUTIES OF VICE PRESIDENT

A. The Vice President shall serve a two-year term beginning in odd numbered years, and shall assume all the duties of the President in the event of his/her absence or resignation.

B. The Vice President shall serve as an elected delegate to the ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting** and as an elected successor delegate to the NEA Representative Assembly.

C. In the absence of the President, the Vice President shall represent the Association before the Central Administration of the School District, the Board of Trustees, the media, and shall perform all other functions as directed by the Executive Board and Building Representative Council.

D. The Vice President shall be empowered as a signatory on any financial transactions of the Association.

~~E. In the absence of the President, the Vice President shall represent the Association at the MEA-MFT Board of Director's meetings for District 27.~~

#### Section 5 TERMS AND DUTIES OF SECRETARY

A. The Secretary shall serve a two-year term beginning in even-numbered years.

B. The Secretary shall keep records of all meetings, maintain files of the Association, keep Policies and Procedures updated, and prepare correspondence.

C. The Secretary shall perform other related duties as designated by the President or Executive Board.

D. The Secretary shall be empowered as a signatory on any financial transactions of the Association.

E. The Secretary shall serve as an elected delegate to the ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting**.

#### Section 6 TERMS AND DUTIES OF TREASURER

A. The Treasurer shall serve a two-year term beginning in even numbered years.

B. The Treasurer shall maintain records of receipts and disbursements. The Treasurer shall maintain membership records and prepare financial reports for meetings.

C. The Treasurer shall comply with all reports required by federal and state statutes.

D. The Treasurer shall be empowered as a signatory on any financial transactions of the Association.

E. The Treasurer shall serve as an elected delegate to the ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting**.

F. The Treasurer shall perform such other related duties as designated by the President.

#### Section 7 TERMS AND DUTIES OF DIRECTOR-AT-LARGE

A. The Director-at-Large shall serve a two-year term beginning in even-numbered years. The Director-at-Large may be from any school area or support service served by BCEA.

B. The Director-at-Large shall be a member of the Executive Board.

C. The Director-at-Large shall serve as an elected delegate to the ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting**.

D. The Director-at-Large shall perform such duties as may be assigned by the President or Executive Board.

#### Section 8 TERMS AND DUTIES OF AREA DIRECTORS

A. Area Directors shall serve a two-year term. The Elementary, Middle School/First Student/ECI, High School, and Lincoln Center/Warehouse/Facilities shall be appointed by the President.

B. The Area Directors shall be members of the Executive Board.

C. The Area Directors shall coordinate Association business with the Building Reps of their designated area.

D. The Area Director shall report on Association activities in their area of responsibility and perform such other related duties as designated by the President or Executive Board.

## ARTICLE VII - BUILDING REPRESENTATIVES

### Section 1 BUILDING REPRESENTATIVES

A. Building Reps may be selected by members of their work site or may serve on a volunteer basis, and shall serve 1-year terms. There shall be no restriction on the number of terms served.

B. Each work site (building or department) shall have one representative for each ten Association members or major fraction thereof, with each site guaranteed a minimum of one representative. The Executive Board shall designate the specific job sites entitled to representation.

C. Building Reps shall attend meetings of the Representative Council.

D. Building Reps shall recruit and orient new members, report employee grievances, hold work-site meetings when necessary, distribute Association communications, and maintain a BCEA information bulletin board.

E. Building Reps shall carry out related duties as determined by the President, Executive Board, or Representative Council.

E. Building Reps shall designate alternates in their absences.

## ARTICLE VIII - COMMITTEES

### Section 1 COMMITTEES

A. The President shall appoint such committees, with the concurrence of the Executive Board, as may be necessary to achieve the Association's program. A committee chair shall be appointed by the President for each committee.

B. All committees shall receive specific responsibilities and shall be discharged upon completion of those responsibilities. Every effort shall be made to appoint committees broadly representative of the various job classifications and job sites of the membership, as well as ethnic and gender diversity.

C. Terms of committee appointments shall not exceed one year, but members may be reappointed.

### Section 2 STANDING COMMITTEES

A. Standing committees shall include: Nominations/Elections, Negotiations, Calendar, and Grievance Committees. Other standing committees may be established by the Executive Board.

## ARTICLE IX - ASSOCIATION MEETINGS

### Section 1 EXECUTIVE BOARD

A. The Executive Board shall meet at least once monthly during the school year on a day to be determined by the Executive Board. Five members shall constitute a quorum.

B. Special meetings may be called only upon 48-hour written notice to each member of the Board, unless such notice is unanimously waived by the Board.



## Section 2 ANNUAL MEETING

A. An Annual Meeting of the membership shall be held in May and shall be designated as the Annual Meeting.

B. Special meetings of the general membership may be called by the President, Executive Board, or by the Petition of at least 20% of the membership.

C. Notice of meetings shall be issued to the general membership at least five working days in advance of the meeting. Notice shall include the time, place, and purpose of the meeting and shall be sent out to every member.

D. Those members in attendance shall constitute a quorum for regular or special membership meetings.

## Section 3 REPRESENTATIVE COUNCIL MEETINGS

A. The Representative Council shall meet at a minimum of twice during the school year. Once in September and once in May, on a day determined by the Representative Council and at times as determined by the Council, the Executive Board, or the President. A simple majority of the Council shall constitute a quorum.

B. All meetings of the Building Representative Council shall be announced in writing to each member of the Council at least 48 hours in advance of the meeting time. This notice shall include the time, place, and purpose of the meeting as well as copies of minutes of the last Representative Council meeting and all Executive Board meetings that have been held since the last Representative Council meeting.

C. Meetings of the Building Representative Council shall be conducted by the President or a presidential appointee and shall be open to all members.

## ARTICLE X - ~~ME-MET~~ MFPE REPRESENTATIVE ASSEMBLY

Section 1 BCEA delegates to the annual ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting** shall serve for a term of one year for that assembly only.

Section 2 Elections for ~~MEA-MFT Representative Assembly~~ **MFPE Annual Meeting** shall be conducted in January. The number of delegates elected will vary based on membership.

#### ARTICLE XI - NEA REPRESENTATIVE ASSEMBLY

Section 1 Delegates and successor delegates to the NEA Representative Assembly shall be elected in April if Executive Board Members are unable to attend.

#### ARTICLE XII - FINANCES

Section 1 The Executive Board shall recommend and the Representative Council will adopt a budget and establish dues for the following membership year by the May General Meeting. Local dues shall be the minimum to comply with BCEA policy.

Section 2 All persons with responsibility for or access to Association funds shall be bonded. At least two signatures will be required on all Association accounts. The Executive Board may authorize signatories in addition to the Treasurer and President.

#### ARTICLE XIII - ELECTIONS

Section 1 Positions to be elected by the general membership are:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Director-at-Large

## Section 2 Nominations

- A. Nominations will be submitted to the Nominations Committee by April 15. The election will be held no later than May 15.
- B. The election of officers and Director-at-Large shall occur by secret ballot of the membership and shall require a majority of all votes cast.

Section 3 The Nomination Committee shall have the power to change the date of an election provided written notice is provided to all members thirty days prior to the election.

## ARTICLE XIV - RATIFICATION OF MASTER AGREEMENT

Section 1 An Association meeting shall be called by the Executive Board for the purpose of clarification of any proposed Master Agreement changes. Copies of the proposed Master Agreement changes shall be made available to all members of the Association covered by this Master Agreement through interschool mail not less than three days prior to the meeting, and shall include notification of date, time, and place of the meeting.

Section 2 The ratification vote shall be a BCEA-member ballot sent to the building sites. Each member shall forward their BCEA Ratification Vote to the BCEA office in the specified time. Absentee ballots will be made available.

Section 3 In the event that a Ratification Vote is needed during the summer months, copies of the proposed Master Agreement changes shall be mailed to all support staff covered by this Master Agreement not less than seven days prior to the meeting, and shall include notification of date, time, and place of the meeting. At this meeting, clarification of the changes will be discussed and a BCEA-member vote will be taken. Absentee ballots will be made available.

## ARTICLE XV - RECALL

Section 1 The Representative Council shall have the right to initiate a recall action of Association officers or of the Executive Board by a petition signed by 20 percent of the membership.

ARTICLE XVI - AUTHORITY

Section 1 Robert's Rules of Order Newly Revised shall be the parliamentary authority for the Association on all questions not covered by the Policies and Procedures, or such standing rules as the Representative Council may adopt.

ARTICLE XVII - AMENDMENTS AND SAVINGS

Section 1 Amendments or repeal of the Constitution, or any portion thereof, must be passed by at least a two-thirds majority of those voting. Voting will be done by secret ballot in the buildings. Absentee ballots will also be made available. Copies of the proposed amendments shall be made available to the Building Representatives not less than 30 days prior to the election.

Section 2 The majority of the Executive Board, or the majority of the Representative Council, or five percent of the membership may place the proposed amendment(s) on the ballot for the May election.

Section 3. If any provision of this Constitution is found to be contrary to law by a court competent jurisdiction, said provision shall be deemed null and void, but the remainder of the constitution shall continue in full force and effect. Individual members or elected officers shall not be personally liable for any unlawful provision.

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BCEA President

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Date