



Delaware State Education Association  
***Standing Strong for Student Success***

# ***BYLAWS***

Revised  
April 2019

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# DSEA Bylaws

## ARTICLE I – NAME

This Association shall be known as the Delaware State Education Association, Incorporated.

## ARTICLE II – PURPOSE

The DSEA shall protect and extend the humane and professional rights of its members and promote excellence in education for the children and youth of Delaware.

The goals of the Association shall be as stated in the Two Year Budget of the Delaware State Education Association (DSEA). The Association shall have all power necessary and proper to take action for the attainment of these goals.

## ARTICLE III – MEMBERSHIP AND AFFILIATES

**Membership Year.** The DSEA membership year shall be the same as the membership year of the NEA, September 1 to August 31.

### A. ACTIVE MEMBERSHIP

**Voting Status.** All active members shall be eligible to vote, serve as elected members of the DSEA Representative Assembly, hold elective office in the DSEA, and receive all other membership services.

1. **Eligibility.** Active membership shall be open to any person (i) who is employed by or in a public school district, public or private college or university, or other public or private institution devoted primarily to education, and public health nurse, regardless of the specific nature of the functions that the person performs at the work site and regardless of who actually employs the person; (ii) who is employed by a public sector employer other than a school district, college or university, or other institutions devoted primarily to education but who is hired to perform educational functions; (iii) who is on limited leave of absence from the employment described in items (i) and (ii) above; (iv) who is serving as an executive officer of the Association or of a state or local affiliate; or (v) who is employed by the State of Delaware.
  - a. An active member is a member of the National Education Association of the United States and its local affiliate, where eligible, and
  - b. An active member holds a certificate or permit issued by the State of Delaware or is eligible to hold such a certificate or permit, where required for employment in the public or private schools, or is an employee of a public or private preschool or elementary or secondary school or a college or university in Delaware and meets the requirements for professional employment in that institution, or is an employee of the State of Delaware, in a non-supervisory position, and
  - c. An active member is not a district administrator, principal, associate or assistant principal, or full-time district-wide supervisor.
  - d. DSEA shall continue to allow active membership to those active members (i) who have been laid off due to a reduction in force for as long as such persons are eligible to be recalled, or for three (3) years, whichever is longer or (ii) who have been discharged for as long as legal challenge to such discharge is pending.

**B. RETIRED**

**Voting Status.** All DSEA Retired active members shall be eligible to vote in all DSEA general elections. *(Rev. 3/2019)*

**Eligibility.** Any member of DSEA Retired. *(Rev. 3/2018)*

**C. ASPIRING EDUCATOR**

**Voting Status.** Aspiring Educator members shall not be eligible to vote in DSEA elections or hold elective office in the Association. *(Rev. 3/2018)*

**Eligibility.** Aspiring Educator membership is open to any aspiring educator who is enrolled in a postsecondary program that is preparatory for employment in a position that would make him or her eligible for Active membership. *(Rev. 2016)*

**D. OTHER MEMBERSHIP CATEGORIES**

**Non-voting Status.** Aspiring Educator, Associate, Future Teacher, Staff and Reserve members shall not be eligible to vote, serve as a member of the DSEA Representative Assembly, or hold elective office in the Association.

1. **Associate.** Any person who is actively engaged in educational work in the State of Delaware, who is not eligible for Active membership or membership in any other category may become an Associate member.
2. **Future Teacher.** Any Delaware secondary school pupil who is a member of a chapter of the Future Teachers of America Clubs may affiliate with this Association through the affiliation of his/her high school chapter.
3. **Staff.** Any staff of DSEA/NEA.
4. **Reserve.** Reserve membership is open to any person who is on leave of absence of at least six months from employment that qualifies him or her for Active membership or who has held Active or Education Support Professional membership, but whose employment status no longer qualifies that individual for such membership.

**E. MEMBERSHIP DUE PROCESS**

A due process hearing before the DSEA Executive Board shall be held before a member may be censured, suspended, or expelled.

**F. AFFILIATED ASSOCIATIONS AND GROUPS**

1. **National Affiliation.** The Delaware State Education Association and its affiliated Local Associations shall be affiliated and unified with the National Education Association (NEA) under provisions of the Charter of the NEA.
2. **Affiliated Local Associations and Groups.**
  - a. **Affiliated Local Associations.** Members of the State Association who are employed in any legally constituted public school district, public institution, or institution of higher education in the State of Delaware may organize into a Local Association. The local must then seek affiliation with the Delaware State Education Association.
  - b. **Affiliated Groups.** Members of the State Association who are joined together in a group organized around a common educational interest may seek affiliation with

the Delaware State Education Association in accordance with the provisions of these Bylaws as they define affiliation.

**3. Method of Affiliation.**

- a. Personnel in any Local Association or other group may apply to the Executive Board of the Association for affiliation.
- b. Each group desiring affiliation shall present with the application for such recognition:
  - (1) A statement to the effect that the Constitution/Bylaws and objectives of the group are in compliance with those of DSEA/NEA and the incorporation laws of the State of Delaware.
  - (2) A copy of the Constitution/Bylaws adopted according to the procedures prescribed in the affiliate's Constitution/Bylaws.
  - (3) A list of all persons who are members and those who qualify for membership in the proposed local affiliate/association.
  - (4) A statement indicating that all officers of the proposed local affiliated Association are members of the Association.
- c. The DSEA Executive Board shall have the discretion to approve this affiliation request. The affiliation will be renewed automatically so long as the provisions of this article are met. The Executive Board shall have the ability to revoke affiliate for cause.

**4. Trusteeship**

The Association may establish a temporary trusteeship over a local association for the purpose of:

- correcting corruption or financial malpractice;
- assuring administration of a collective bargaining agreement or performance of other duties of a collective bargaining representative;
- restoring democratic procedures to insure members' involvement and rights are protected; and
- insuring the enforcement of compliance with federal law, state law, state and local bylaws, and requirements of incorporation.

The DSEA Executive Board shall make a determination, by a majority vote, whether there is sufficient cause to consider the establishment of a temporary trusteeship with a local association. If sufficient cause is found, the affected local's leadership and membership shall be informed that the DSEA Executive Board will consider establishing a trusteeship at least 10 days prior to the meeting where the action will be considered. The local's leadership and membership will be invited to attend and to offer any information or materials that would assist the DSEA Executive Board in their deliberations. A two-thirds vote of the DSEA Executive Board is needed to establish a trusteeship.

The trusteeship may include the following:

- conducting of the affairs of the local;
- taking possession of the books, records, funds and assets to be held in trust and used only in the proper conduct of the local's affairs; and

- possibly removing of officer(s) if it is deemed that individual(s) were a cause or responsible for the establishment of the trusteeship.

The DSEA Executive Board will terminate the trusteeship by a majority vote as soon as the cause for its establishment has been remedied.

## **ARTICLE IV - DSEA LEADERSHIP TEAM AND EXECUTIVE DIRECTOR**

- A. The Leadership Team of this Association shall be the President, Vice President, Treasurer and NEA Director.
- B. The DSEA Leadership Team will utilize its collective strengths to advance the mission and the programs, represent policies and enhance the effectiveness of the DSEA.
- C. The office of President shall be a full-time paid position with such compensation as the Executive Board may determine.
- D. The duties of the President, Vice President, Treasurer, NEA Director and Executive Director shall include, but not be limited to, the following:

### **1. President**

- a. shall serve as part of the DSEA Leadership Team
- b. shall be chief executive officer of DSEA
- c. shall be responsible for policy interpretation and direction between meetings of the Executive Board subject to review by the Board
- d. shall be the official representative of the Association and the chief spokesperson on policy matters and official DSEA positions
- e. shall be a voting member of the DSEA Executive Board and Representative Assembly, and serve as Alternate NEA Director for Delaware
- f. shall preside at the meetings of the Executive Board, Representative Assembly, and other general sessions of the Association
- g. shall have the power to remove, with cause and the approval of the Executive Board, an Executive Board member from Office
- h. shall call, as authorized, special meetings of the Executive Board and Representative Assembly
- i. shall serve as an ex-officio member on all task forces and as chairperson of the Advocacy Fund Board of Directors

### **2. Vice President**

- a. shall serve as a member of the DSEA Leadership Team
- b. shall assume the duties of the President in the absence or incapacitation of the President
- c. shall be a voting member of the DSEA Executive Board and Representative Assembly
- d. shall serve as vice chairperson of the Advocacy Fund Board of Directors

- e. shall perform such other duties as the President or Leadership Team may direct

**3. Treasurer**

- a. shall serve as a member of the DSEA Leadership Team
- b. shall advise and report to the Leadership Team and the Executive Board regularly concerning the finances of the Association
- c. shall be a voting member of the DSEA Executive Board and Representative Assembly
- d. shall be responsible to the Leadership Team, Executive Board, and Representative Assembly for the recommendation of a budget
- e. shall serve as chairperson of the Finance Committee
- f. shall report upon the financial status of the Association to the DSEA Representative Assembly during the spring meeting of the Association
- g. shall review and cause to be presented an annual audit and the audits as necessary

**4. NEA Director**

- a. shall serve as a member of the DSEA Leadership Team
- b. shall attend all DSEA Executive Board meetings and report on NEA activities
- c. shall be an ex-officio voting member of the DSEA Executive Board and Representative Assembly
- d. shall attend all DSEA Representative Assemblies and make a report
- e. shall represent the views/positions of DSEA governing bodies to NEA

**5. Executive Director**

- a. shall meet regularly with the DSEA Leadership Team
- b. shall be the chief administrative officer of DSEA and serve as executive secretary to DSEA, Incorporated *(rev. 3/2018)*
- c. shall be a non-voting member of the Executive Board and Representative Assembly
- d. shall be responsible for the assignment, supervision, direction, evaluation, and termination of all DSEA staff
- e. shall manage, or cause to be managed, the fiscal matters of the Association and shall be an ex-officio, non-voting member of the Finance Committee
- f. shall serve as an ex-officio, non-voting member of the Advocacy Fund Board of Directors
- g. shall be responsible for developing and implementing programs consistent with the mission and goals of the Association



- h. shall perform such specific duties as requested by the President, Leadership Team, and the Executive Board
- i. shall direct and implement the DSEA Legislative Program
- j. shall employ staff to fill positions approved by the Executive Board. The consent of the Executive Board shall be necessary prior to employing an individual to fill a professional staff vacancy.

**E. TERMS**

- 1. The President, Vice President, and Treasurer shall be eligible to be elected for two, three-year terms. These terms need not be consecutive. The terms shall begin on July 15. *(rev. 4/2012)*
- 2. Any time served as an appointed Vice President or Treasurer would not be included in the six-year limitation.
- 3. All elected officers will be permitted to run for another DSEA office while they are in the current office.

**F. QUALIFICATIONS AND METHOD OF ELECTION**

- 1. All candidates for the office of President, Vice President, and Treasurer shall have been Active Members of the Association for at least two years. All Executive Officers shall maintain Active Membership in the Association.
- 2. The President, Vice President, and Treasurer shall be elected from among the Active Membership of the DSEA by open nomination and secret ballot. Candidates for the offices of President, Vice President, and Treasurer shall be nominated by filing a petition with the Executive Director containing the signatures of 50 Active Members on or before the date specified in the annual Election Timelines of the membership year in which the election is to be held.
  - a. When nominating petitions are made available, the bylaws and policy manual statements related to the office sought will be available to potential candidates.
- 3. In each election year, the election of the President, Vice President, and Treasurer shall be determined on the basis of the most votes cast from a ballot made available electronically or in paper form to every Active Member of the Association according to the timeline established by the Executive Board. In years where there is only one candidate who meets all other requirements for the position of President, Vice President, or Treasurer, those candidates will be considered the elected candidate for said position subject to ratification of the DSEA Executive Board. Election results will be announced via DSEA communications. *(rev. 4/2012)*
- 4. A person shall not hold more than one elected office in DSEA at the same time. *(Rev. 3/2017)*

**G. NEA DIRECTOR.** The NEA Director shall be nominated and elected in the same manner as the elected officers of DSEA.

**ARTICLE V - REPRESENTATIVE ASSEMBLY**

**A. MEETINGS.** The DSEA Representative Assembly shall be the primary governing and policy-making body. The Representative Assembly shall meet to approve the Association's goals and adopt the bi-annual budget. The RA will also consider bylaws, resolutions and new business items.

The Representative Assembly shall meet once a year on a late winter/early spring weekend date as scheduled by the Executive Board. The Executive Board will establish an alternate weather date.

**B. COMPOSITION.** The Representative Assembly shall be composed of delegates who are Active or Retired Members of the Association and who must be elected by the membership of the Affiliate in which they are candidates. Election procedures for such delegates shall provide for nominations open to all members in each affiliate and election by secret ballot of all affiliate members. The ratio and procedure for electing Representative Assembly members shall be as follows:

1. Local Associations shall determine the method and procedure for permitting their general membership to nominate and vote for delegates, providing that any such procedure will guarantee one delegate elected for each 50 Active Members of the Association or major fraction thereof.
2. Membership shall be as of June 1 of each year unless the local was affiliated after June 1. In this case membership as of 30 days prior to the first RA after their affiliation shall be used to determine number of delegates.
3. Each local Association affiliated with DSEA at the time of the Representative Assembly shall have at least one delegate to the RA.
4. An appropriate number of alternates shall be elected in each local Association. Only minority alternates can replace minority Representative Assembly delegates.
5. The term of office for each delegate shall be for one year.
6. DSEA Retired shall be represented on the basis of 1:200 members or major fraction thereof based on a membership count of January 31 of the immediately preceding year.
7. DSEA Retired shall elect representatives to the DSEA RA at an election to be held at the annual DSEA Retired membership meeting. Nominations are to be from the floor. Term will commence with the DSEA RA following this membership meeting. If no membership meeting occurs, or if it is not held 14 calendar days prior to the RA, then a mail ballot will be distributed to the membership no less than 45 days prior to the RA. Names of elected delegates are to be submitted to DSEA no less than 14 calendar days prior to the RA.
8. The Aspiring Educator Program shall be represented on the basis of 1:200 members or major fraction thereof based on a membership count of January 31 of the immediately preceding year. Any delegate positions earned under this provision shall be filled in the following order: (1) Aspiring Educator Program Vice President and (2) Aspiring Educator Secretary Treasurer. *(rev. 3/2018)*

**C. CERTIFICATION AND SEATING OF DELEGATES.**

1. Local Presidents shall, 30 days prior to the announced date of the Representative Assembly, certify to the Executive Director of DSEA the names of the duly elected delegates and alternates. The Executive Director shall verify the credential status of each delegate prior to being seated at the Representative Assembly.
2. Each local shall reserve a number of delegate positions to the DSEA RA for ethnic minorities in proportion to the percentage of ethnic minority membership in the local association.
3. If a local fails to comply with these provisions, the RA may refuse to seat the delegates from that local.

## **D. TIMELINES**

### **1. Resolutions**

- a. All resolutions should be submitted, in writing, to the Executive Director 30 days prior to the meeting date of the DSEA Representative Assembly. Properly submitted resolutions shall require a simple majority vote for passage. Resolutions submitted after the deadline shall require a simple majority vote from the floor to be considered and shall further require a 2/3 majority vote for passage. Resolutions submitted from the floor must be in the correct format.
- b. A resolution is defined as a formal expression of opinion, intent, belief, or position of the Association adopted by the DSEA Representative Assembly and providing the direction in which the Association should be moving. The titles of resolutions are preceded by the appropriate number and followed by the year adopted and/or amended.

### **2. New Business**

- a. All New Business items shall be submitted, in writing, to the Executive Director 30 days prior to the meeting date of the DSEA Representative Assembly. New Business items shall require a simple majority vote for passage. New Business items submitted after the deadline, but prior to 7 days before the DSEA Representative Assembly shall require a simple majority vote from the floor to be considered and shall further require a 2/3 majority vote for passage.
- b. New Business items are those matters relating to substantive policies or programs for the Association and shall be specific in nature and terminal in application.
- c. DSEA staff will prepare a cost estimate for all New Business Items to be provided to delegates at the Representative Assembly. The cost estimate will include factors that influence costs, including but not limited to, type of publication, as well as standard costs for things such as additional staff time, cost of publication and mailing, and other factors as deemed necessary to assist those preparing New Business Items to keep costs as low as possible.
- d. DSEA will provide status reports on all adopted business items as follows: Prior to July 31<sup>st</sup>; prior to November 30<sup>th</sup>; and prior to the following Representative Assembly. Such status reports will be provided to the members introducing and seconding the adopted new business items and the DSEA Executive Board in addition to being posted on a dedicated page in the Members Only section of the DSEA website. *(Rev. 3/2017)*

## **E. POWERS AND DUTIES**

The DSEA Representative Assembly shall have the power, and it shall be its duty to:

1. serve as the primary governing and policymaking body of DSEA
2. approve the Mission and Goals of DSEA
3. adopt the two year budget of DSEA
4. approve bylaw amendments for DSEA
5. provide for standing and other task forces as it may deem necessary
6. act upon the report of officers and program task forces

7. adopt the resolutions of DSEA
8. set the formula for calculating the dues of professionally certificated members
9. consider and recommend statewide job actions if necessary

## **ARTICLE VI - EXECUTIVE BOARD**

### **A. COMPOSITION**

1. The President, Vice President, and Treasurer of the Association shall be members and officers of the Executive Board.
2. The NEA Director shall serve as an ex-officio voting member of the Executive Board.
3. DSEA Retired and DSEA Aspiring Educator Program President shall serve as ex-officio voting members of the Executive Board. *(rev. 3/2018)*
4. Any DSEA member elected to an at-large position on the NEA Board of Directors shall serve as an ex-officio, non-voting member of the Executive Board.
5. The DSEA RA shall elect additional Executive Board members, as appropriate, to ensure ethnic minority representation equal to the identified statewide ethnic minority membership of DSEA. At such time as it is certain that there is not proportional minority representation on the Board, notice will be circulated to the membership that a minority vacancy(s) exists, and the process defined in VI E will be followed. The term of office for an individual so chosen will expire the following September 1.
6. Elected and ex-officio Executive Board members shall be voting members of the DSEA Representative Assembly. *(rev. 3/2018)*

- B. TERMS.** All members of the Executive Board shall serve for terms of two years, beginning September 1 following their election.

### **C. QUALIFICATIONS AND METHOD OF ELECTION.**

1. All candidates to be voting members of the Executive Board and shall have been Active Members of the Association for at least one year at the time of taking office. All Executive Board voting members shall maintain Active Membership in the Association.
2. Candidates shall be elected at-large by the active members within each county on a proportional basis of 1 to 450 members or major fraction thereof, based on November 30 enrollments.
3. Candidates shall be nominated for voting positions on the Executive Board by filing a petition with the Executive Director containing the signatures of 20 Active Members from that county on or before the date specified in the annual Election Timelines of the membership year in which the election is held. The candidate(s) from a given county will be elected by secret ballot made available to every Active Member in that county. The candidate(s) receiving the highest number(s) of votes will be elected.
4. Candidates shall be elected by an electronic ballot, sent to all active members in each county each Spring. Ballots will be emailed along with the electronic ballot for statewide officers and NEA RA delegates. Upon request, members may receive a paper ballot for voting purposes. Under any circumstances, a member can only vote once either electronically or paper ballot, but not both. In years where there is no opposition for countywide seats for the Executive Board, those candidates will be considered the elected

candidate for said position subject to ratification of the DSEA Executive Board. Notification to members via all means of communications (i.e., ACTION, DSEA Connect, dsea.org, etc.) will occur in lieu of a secret ballot conducted in the spring of each year.

5. In the event that requisite number of candidates do not file nominating petitions for the vacant seat(s) from a given county, nominations will be made from the floor of the spring Representative Assembly for candidates from that county. The delegates from that county will then vote at the spring Representative Assembly for the candidate(s) to fill the vacancy(s).
6. The term of the DSEA Retired at-large Executive Board ex-officio voting member shall be two years commencing September 1. *(Rev. 3/2018)*

D. **POLICY-MAKING.** The Executive Board shall be the interim policy-making body and shall interpret the policy of the DSEA Representative Assembly.

E. **VACANCIES.**

1. The Executive Board shall fill all vacancies that occur in elected offices except that the Vice President shall succeed the President for an unexpired term of office.
2. In the event that the office of Vice President or Treasurer becomes vacant, the Board will appoint another person to fill that position for the duration of that term. The appointment will occur within thirty calendar days. The nominating process will follow the procedures established for filling vacancies in Article VI E.
3. Vacancies of Executive Board Members
  - a. In the event that a term would expire with the next election, individuals so appointed shall serve until August 31.
  - b. In the event that a vacancy occurs in a term which would not expire with the next election, individuals so appointed shall serve until elections are held the following Spring. At this time, the seat will be filled in the all-member election to complete the unexpired term. The individual elected in the Spring election would take office immediately upon the announcement of the results of the election and serve for the balance of the unexpired term.
4. Nomination to fill vacancies shall be made, in writing, to the DSEA President ten (10) days prior to a scheduled Board Meeting at which the election will be held. Biographical data of the candidate should accompany each letter of nomination.
5. The DSEA President shall advise all Executive Board members of names in nomination at least five (5) days prior to the meeting at which the election will be held.
6. Elections shall be scheduled on the Executive Board agenda by the DSEA President and shall be conducted at the appointed time by secret ballot.
7. A majority of votes cast shall be required.
8. An individual elected to fill a vacancy under these procedures shall assume office immediately after the election.
9. Vacancies in the DSEA Retired at-large Executive Board ex-officio voting member position shall be filled by the same procedure and timelines as Board positions except that the Executive Committee of DSEA Retired will have the authority to appoint in lieu of the DSEA Executive Board.

**F. NEW POSITIONS**

1. Additions or reductions of seats on the Board because of membership shall occur based on November 30 membership figures.
2. If a seat is to be added or removed, it will then be announced so that the proper number of seats can be filled by the Executive Board pursuant to the process set forth in Section E above. A new seat will be a one or two-year term, based on the need to equalize the number of terms expiring per county in a given year.

**G. DUTIES.** The Executive Board shall have the authority and responsibility to:

1. Set its meetings except as otherwise herein provided.
2. Determine the eligibility of all groups wishing to affiliate with DSEA and shall have the power to suspend or revoke affiliation for violations of these Bylaws.
3. Provide for due process for members of DSEA.
4. Incorporate the Association as the Delaware State Education Association, Inc., a non-profit corporation for the purpose of conducting activities herein described and of owning real property, and the officers and Executive Board members of the DSEA shall be the officers and directors of DSEA, Inc.
5. Determine the guidelines for the election of DSEA Officers, Executive Board and NEA delegates consistent with DSEA Bylaws.
6. Serve as the Appropriations Task Force with authority to recommend a budget to the Representative Assembly for adoption.
7. Make contingency expenditures when they have not been budgeted.
8. Serve as the Advocacy Fund Executive Board.
9. Serve as direct link between state and local associations.
10. Approve Executive Director/Professional Staff appointments and contracts with DSEASO. Approval requires a 3/5 vote of the Board.

**ARTICLE VII – STATE DELEGATES TO THE NEA REPRESENTATIVE ASSEMBLY**

- A. Election to the offices of President, Vice President, Treasurer, and NEA Director shall constitute election as a State delegate to the NEA Representative Assembly. The current DSEA President shall be the chairperson of the State delegation at the NEA Representative Assembly.
- B. State delegates to the NEA Representative Assembly other than the members of the Leadership Team of DSEA shall be nominated by filing a petition with signatures of 20 Active Members with the Executive Director during a period of no less than 30 days, to be determined by the Executive Board. Delegates shall be elected by receiving the most votes cast from an electronic secret ballot made available to all Active Members of DSEA.
- C. DSEA Retired will be entitled to representation based on Section 3-1 e of the NEA Bylaws: 1:50 for the first 50 Retired members and an additional delegate for each 1,000 Retired members thereafter.
- D. Nominations shall be open to any Active Member of the Association.
- E. Alternate delegates to the NEA Representative Assembly shall be those candidates not receiving a sufficient number of votes to be regular delegates. Alternate delegates shall be designated in

descending order according to the number of votes received. A number of alternates equal to the number of State delegates allotted shall be so designated.

- F. Delegates to the NEA Representative Assembly shall serve for terms of two years, and alternates shall serve for a term of one year.
- G. NEA delegates shall be elected by statewide secret ballot at the same time officers are elected in the Spring.

## **ARTICLE VIII – MEETINGS OF THE ASSOCIATION**

- A. **DSEA REPRESENTATIVE ASSEMBLY.** In addition to the one regular meeting of the Representative Assembly, special meetings may be called by the President of DSEA, by a majority of the Representative Assembly members, or by a majority of the Executive Board.
- B. **EXECUTIVE BOARD.** The Executive Board shall have a minimum of six (6) business meetings per year. Special meetings may be called by the President or by a majority of the Executive Board.

## **ARTICLE IX – ASSOCIATION STAFF**

- A. The Executive Board shall employ an Executive Director.
- B. The Executive Board shall establish the terms and conditions of employment for all staff.
- C. Local and State staff shall be eligible only for Staff membership and shall not hold elective or appointive positions at any level of the Association.
- D. The Association shall implement and actively pursue a policy of equal employment opportunity.
- E. The Association shall recognize the right of its employees to organize for the purpose of collective bargaining.

## **ARTICLE X – COMMITTEES AND TASK FORCE(S) OF THE ASSOCIATION**

- A. **COMMITTEES.** In order to support the ongoing operations of the Association, the following standing committees will exist:
  - 1. Resolutions Committee – The Resolutions Committee is charged with maintaining the DSEA Resolutions and makes sure the DSEA Executive Board and Representative Assembly are provided annual updates to our resolutions. The Resolutions Committee shall consist of the following seven (7) members:
    - a. The NEA/DSEA Resolutions Chairperson elected by the DSEA/NEA Representative Assembly Delegates who shall serve as the chair of the Resolutions Committee;
    - b. The NEA/DSEA Resolutions Alternate elected by the DSEA/NEA Representative Assembly Delegates;
    - c. One (1) member of the DSEA Leadership Team appointed by the President; and
    - d. Four (4) members appointed by the President to include at least one (1) member from each county and at least one (1) Educational Support Professional member.
  - 2. Audit Committee – The Audit Committee is charged with the following:
    - a. Selection of the auditor who will perform the independent audit of the Association's financial statements and internal controls.
    - b. Review of the audited financial statements and associated letters.
    - c. Report to the DSEA Executive Board upon completion of the audit.

The Audit Committee shall have seven (7) members - one (1) of whom shall be the DSEA Treasurer, who shall serve as the chair. The President shall appoint the remaining members of the Audit Committee who shall include at least one (1) member from each county and at least one (1) Educational Support Professional member.

3. Finance Committee – The Finance Committee is charged with the following:

- a. Analyze, review and propose new budget.
- b. Anticipate budgetary needs for the next two-year cycle.
- c. Report to the Executive Board. *(rev. 4/2012)*

The Finance Committee shall have nine (9) members - four (4) of whom shall be the members of the DSEA Leadership Team. The DSEA Treasurer shall serve as the chair of the Finance Committee. The President shall appoint the remaining members of the Finance Committee who shall include at least one (1) member from each county and at least one (1) Educational Support Professional member.

4. Ethnic Minority Affairs Committee – The EMAC is charged with the following:

- a. An annual conference;
- b. Working with local unions to develop and maintain local EMACs *(rev. 3/2018)*;
- c. Nominating a member of the EMAC Committee for a state funded delegate seat to the NEA RA;
- d. Promote DSEA's 3-1 (g) plan to increase minority involvement and representation;
- e. Share the needs and concerns of our ethnic minority members with DSEA.

The Ethnic Minority Affairs Committee shall have a minimum of five (5) members to include, but not be limited to one (1) member from each county, (1) member of the DSEA Leadership Team or support staff, and one (1) Educational Support Professional member. The total number of members serving must be an odd number.

In addition to the requirements listed above, minority representation shall also be an important factor in committee appointments.

Committee membership requirements specified above are minimums and may be increased at the discretion of the President. In all instances, the total number of members serving on any committee shall be an odd number.

B. **TASK FORCES.** In order to focus activities toward the adopted mission and goals of the Association, and to maximize member's time and involvement, task forces will be created for a specified purpose, defined task(s), and a set timeline.

The President shall appoint, with the approval of the Executive Board, the chairpersons of the task force(s). Members shall be appointed to task force(s) by the President, with input from the Executive Board, Leadership Team, and local associations. Emphasis shall be given to geographic representation, as well as to the various groups in the Association (e.g., teachers, ESP's, nurses, etc.). Minority representation shall also be an important factor in task force appointments.

The President shall provide all task force(s) with their specific charge(s), timelines, and guidelines for operation.



## ARTICLE XI – MEETINGS, QUORUM, PARLIAMENTARY AUTHORITY

### A. MEETINGS.

1. Meetings of the official bodies of the Association shall be held as designated in the Bylaws.
2. Any member of the Association in good standing is entitled to attend any meeting of the DSEA Representative Assembly or any other body and may be invited by the chairperson to participate in the discussions. Voting power shall be restricted to the duly elected members or appointees of the appropriate group.

B. **QUORUM.** A majority of the properly elected members of the DSEA Representative Assembly, the Executive Board, or any other subdivision or task forces of the Association shall constitute a quorum for the transaction of business for that particular group.

C. **PARLIAMENTARY AUTHORITY.** Robert's Rules of Order - Newly Revised, with exceptions as provided for herein, shall be the parliamentary authority on procedures in all assemblies and meetings of any official group within the Association. Robert's Rules of Order - Newly Revised shall not be suspended, added to, or amended, except by a two-thirds vote of the certified members in attendance at any of the business sessions at the DSEA Representative Assembly or any other properly convened group.

## ARTICLE XII - FISCAL YEAR, AUDIT, DUES, FUNDS

A. **FISCAL YEAR.** The fiscal year of this Association shall begin on September 1 and end on August 31.

B. **AUDIT.** The Executive Director shall provide for an annual professional audit of the accounts of the Association. The Treasurer shall review, and cause to be provided, an abstract of the audit report to all the members and shall display the entire report to any member requesting the opportunity to review the report.

### C. DUES.

1. The Representative Assembly of the Delaware State Education Association will have the authority to set the formula for calculating the annual dues of full-time professionally certificated members. These dues shall be .0099 of the master's degree at the highest experience level of the state salary scale that was effective on September 1 of the year immediately preceding the calendar year in which the dues were calculated.
2. Dues for all members except full-time professionally certificated members shall be established by the Executive Board.
3. Effective September 1, 1991, \$5 per year will be added to the dues amount for each member, except for members who now pay one-fourth (1/4) or one-eighth (1/8) dues, who will pay \$3. This money will create the Catastrophic Legal Defense Fund.
4. Dues shall be paid in such manner and at such time and place as shall be determined by the Executive Board. (rev. 3/2017)

### D. FUNDS.

1. **Capital Improvement Fund.** A Capital Improvement Fund shall be maintained for the purpose of setting aside a reserve fund for capital expenditures. Guidelines for the fund will be found in the DSEA Policy Manual.

2. **Catastrophic Legal Defense Fund.** The DSEA shall maintain a Catastrophic Legal Defense Fund for the purpose of paying for legal defense costs once the regular budgeted funds have been expended. Unexpended funds from the Catastrophic Legal Defense Fund will be carried over to the next year in this account. If the balance of the Catastrophic Legal Defense Fund exceeds five hundred thousand dollars (\$500,000), the DSEA Executive Board shall have the authority to redirect any portion of excess funds to the programmatic lines contained in the approved DSEA budget. Such action shall occur upon the recommendation of the DSEA Treasurer. Members shall pay an annual assessment of \$5 per member, with the exception of a \$3 assessment for members who now pay one quarter (1/4) or one-eighth (1/8) dues. This amount can be changed only by action of the DSEA Representative Assembly.

The DSEA Executive Board shall establish guidelines for governing the Fund. *(rev. 4/2012)*

### **ARTICLE XIII - INITIATING OR TERMINATING A JOB ACTION**

- A. The DSEA Representative Assembly will be convened to consider any statewide job action and shall report to the general membership their recommendations.
- B. Initiation and termination of statewide job actions shall be by majority vote of the Active Membership.
- C. The results of an Active Membership vote on initiating or terminating a job action will be made known to Local Association presidents within three days of the vote.

### **ARTICLE XIV – COMMUNICATION TO MEMBERS**

The Delaware State Education Association (DSEA) shall maintain a website and use other available electronic means, as appropriate, for the purpose of timely and relevant communication to members.

### **ARTICLE XV – METHODS OF AMENDING THE BYLAWS**

- A. The Bylaws of this Association may be repealed or modified, or new Bylaws adopted by a two-thirds vote of the members present at the meeting of the DSEA Representative Assembly, provided that a proposed amendment shall have been presented, in writing, to the Executive Director of the Association at least 30 days prior to the announced date of the meeting of the Representative Assembly, and shall have been distributed by him/her to the local associations and Representative Assembly delegates at least 14 calendar days prior to the meeting of the Representative Assembly.
- B. Amendments to the Bylaws shall become effective at the close of the Representative Assembly meeting at which passed, unless a delayed effective date is otherwise specified.
- C. The DSEA Executive Board may submit a Bylaw Amendment changing the DSEA dues at the RA, and the RA may vote on said amendment. The Board recommendation must be submitted to the Executive Director of the Association at least 30 days prior to the announced date of the meeting of the Representative Assembly and shall have been distributed to the local associations and RA delegates at least 14 calendar days prior to the meeting of the RA.

Revised 4/19