

REVISED 11/15/04

CONSTITUTION AND BYLAWS OF THE BLOOMINGTON FEDERATION OF TEACHERS

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CONSTITUTION

ARTICLE I – PREAMBLE

- A. We, the members of the **Bloomington Federation of Teachers, Local 1182** (BFT), Education Minnesota, National Education Association (NEA), American Federation of Teachers (AFT), and American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), believing that the active participation of non-supervisory licensed education personnel in the development of educational policy is essential for sound education in a democratic society, have joined together, as herein defined in this Constitution and its Bylaws, for the purpose of exerting a collective and positive influence on education in Independent School District No. 271 (District).
- B. The BFT will provide a united voice for public education, leadership in education innovation, dedication to Minnesota students and families, and an unwavering commitment to the welfare of our members.
- C. The BFT will provide professional service to its members by worksite/workgroup and maintain a strong, effective local and by promoting instructional advocacy.
- D. The BFT will be committed to democracy in the workplace and within the organization.
- E. If any provisions of this Constitution and its Bylaws conflict or violate the constitution and bylaws of Education Minnesota, NEA or AFT, the provisions of the state and national organizations will supersede those contained herein.

ARTICLE II – PURPOSE

The purpose of the BFT will be to:

- A. Provide optimum educational opportunities for all learners in the District.
- B. Promote high quality professional practices, mutual understandings, assistance, and cooperation among teachers.
- C. Uphold the rights and privileges to which teachers are entitled.
- D. Strive toward achieving better terms and conditions of employment for teachers.
- E. Promote support for public education with the community at large through improved school/community relations.
- F. Advance the professional status of teachers and other educational workers.

ARTICLE III – AFFILIATION

The BFT will be affiliated with Education Minnesota, Metro Area Council/Negotiators, AFT, NEA, AFL-CIO, and Minneapolis Central Labor Union Council, in accordance with the provisions of the constitution and bylaws of those bodies. Individuals will be members of Education Minnesota, AFT, and NEA.

ARTICLE IV – MEMBERSHIP

- A. Eligibility: Membership in the BFT will be open to all teachers and other non-supervisory licensed education personnel of the District. In addition, nurses (Health Service Associates as defined by the District) will be full BFT members.
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- B. Rights and responsibilities:
1. Each member will have one vote on the nomination and election of officers and the selection of delegates to the state and national conventions.
 2. Members will support the BFT by attending membership meetings, attending meetings other than membership as non-voting participants, electing officers, and choosing representatives who will best serve the needs of the BFT.
- C. The membership year will be September 1 to August 31.
- D. Non-discrimination: The BFT will not deny membership to individuals based on ethnic origin, religion, gender, sexual orientation, or political affiliation.
- E. Parent Organizations: Membership in the BFT will be in accordance with the constitution and bylaws of Education Minnesota, NEA, AFT, and AFL-CIO and will include full affiliation and all services and responsibilities of those organizations.
- F. Retirees: Membership in the BFT will be open to all BFT members who retire from the District and belong to Education Minnesota Retired. Retiree members have the rights and responsibilities of membership, excluding voting rights and holding elected office.
- G. Membership: Payment of annual dues will constitute membership. Members whose dues payments are delinquent may be terminated from the membership in accordance with BFT, Education Minnesota, AFT, and NEA bylaws.
- H. Continuing Membership: Membership will also be considered continuing, subject only to resignation or termination as stated in this Constitution and its Bylaws or as constituted in the bylaws of Education Minnesota, AFT and NEA. While employed, resignation must be in written form. When the member leaves the employment of the District, resignation is automatic. There will be no refund of BFT, state, or national dues.

ARTICLE V – OFFICERS, STEWARDS, COMMITTEE CHAIRS, AND COUNCILS

- A. The elected officers of the BFT will be President, Vice-President, Secretary, and Treasurer.
- B. Stewards will be elected by each District worksite/workgroup.
- C. Standing Committees Chairs outlined in the Bylaws will be appointed by the Executive Council, subject to Steward Council approval.
- D. The Executive Council will consist of elected officers and Standing Committee Chairs.
- E. The Steward Council will consist of all Stewards, elected officers, and Standing Committee Chairs.
- F. Status: Officers, Stewards, and Standing Committee Chairs must be active members of the BFT, Education Minnesota, NEA, and AFT.

ARTICLE VI – GOVERNANCE

- A. Authority: Membership will have the greatest authority in the BFT, followed by the Steward Council, and finally the Executive Council.
- B. The Executive Council will conduct the business of the BFT, subject to existing policies and decisions made by the Steward Council and membership. For the months of June, July and August, it will act for the membership in place of the Stewards. The Executive Council will:
1. Advise the President on matters of concern to the BFT.
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2. Be responsible for the management of the BFT, review all expenditures, carry out policies, and report its action to the members.
 3. Meet once a month at the call of the President or at the request of three Executive Council members.
 4. Designate a Steward Council meeting as a membership meeting, as needed.
 5. Annually establish a committee to review and make recommendations about stipends for officers and other positions.
 6. Subject to Steward Council approval, appoint Standing Committee Chairs and other committee chairs.
 7. Subject to Steward Council approval, establish and abolish special committees as necessary.
- C. The Steward Council will act for and in place of the membership as the policy-making body of the BFT, except where policy is established by voice of the membership at a membership meeting or by referendum. The Steward Council will:
1. Advise the Executive Council on matters of concern to the membership.
 2. Meet once a month at the call of the President or at the request of three Stewards.
 3. Open all meetings to the membership.

ARTICLE VII – QUORUM

- A. BFT membership meetings: A quorum will consist of those members present.
- B. Other Meetings: A quorum will consist of a simple majority of those elected and/or appointed to Executive Council, Steward Council, and all committees.

ARTICLE VIII – CONTRACT RATIFICATION AND STRIKE VOTE

- A. Tentative Agreement: The Negotiations Advisory Committee will distribute tentative agreement information to all sites at least seventy-two (72) hours before the ratification vote.
- B. Ratification Vote: The Executive Council will establish a procedure by which all BFT members will be allowed to vote on the ratification of the Master Contract between the BFT and the District. The vote will be conducted by secret ballot and all BFT members will have the right to vote. A majority of those voting will be necessary to approve the tentative agreement.
1. On Strike: If the meeting to ratify the tentative agreement takes place while teachers are involved in a strike, all BFT members who participated in the strike will be eligible to vote on the tentative agreement.
 2. School not in Session: If a tentative agreement is reached at a time when school is not in session, the Executive Council will establish a procedure by which all BFT members will be allowed to vote by the absentee ballot on the tentative agreement.
- C. Strike Vote: In the event that an agreement cannot be reached between the BFT and the District and at its discretion, the Executive Council will conduct a strike vote by secret ballot. Two-thirds (66.7%) of the membership must vote their approval of a strike action.
- D. Alternative Timelines: The Executive Council will have the authority to establish alternative timelines for notification and balloting.

ARTICLE IX – PARLIAMENTARY AUTHORITY

The latest edition of *Robert's Rules of Order, Newly Revised* will govern in all cases to which they are applicable and in which they are consistent with this Constitution and its Bylaws and any special rules of order, which the BFT may adopt. The President may appoint a parliamentarian.

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ARTICLE X – CONSTITUTIONAL AMENDMENTS

- A. Requirements: All proposed constitutional amendments must be submitted to the Secretary with a written petition signed by at least 10% of the membership.
 - B. Distribution: Such amendments must be distributed in writing to the membership at least three days in advance of discussion at a membership meeting called for that purpose.
 - C. Vote: Within three (3) and no later than ten (10) working days after the membership meeting, a vote will be taken on the proposed amendments. Such amendments will be adopted if two-thirds (2/3) of the ballots cast support the proposed amendment.
 - D. Procedure: The Executive Council will establish a procedure by which all members will be allowed to vote.
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BYLAWS

ARTICLE I – MEMBERSHIP MEETINGS

- A. Annual Meetings: There will be two membership meetings per year held in conjunction with a Steward Council meeting and chaired by the President: the Fall Membership Meeting and the Spring Business Meeting. Membership will be notified of the agenda ten working days prior to the meetings.
- B. Emergency Meetings: The President will have the authority to call an emergency membership meeting at any time. Membership will be notified of the agenda as soon as possible after the meeting is called.
- C. Time and Place: The Executive Council will decide the time and place of membership meetings.
- D. Review: Business conducted by the Executive Council or Steward Council may be reviewed at membership meetings.

ARTICLE II – DUES AND BUDGET

- A. Annual dues will be set at the Spring Business Meeting with provisions for readjustment at any time.
 - 1. National dues: As set by AFT and NEA.
 - 2. State dues: As set by Education Minnesota.
 - 3. Regional dues: As set by the Metro Area Council/Negotiators and the Minneapolis Central Labor Union Council.
 - 4. BFT dues: The Executive Council will recommend a budget and dues to the membership for adoption at the Spring Business Meeting.
 - B. BFT dues will be:

<u>FTE</u>	<u>Dues</u>
.76 to 1.0	100%
.51 to .75	75%
.26 to .50	50%
.25 or less	25%
 - C. Nurses will pay 50% of full dues, if on the nurses' contract.
 - D. Retirees will pay 50% of local dues.
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- E. State and national dues will be assessed in accordance with the dues categories, policies, and constitution and bylaws of Education Minnesota, AFT, NEA, and AFL-CIO.
- F. Payment: The method of dues payment will be by payroll deduction or by payment in full. Eligible employees who do not become BFT members will be assessed a fair share fee in accordance with Minnesota law.
- G. Benefit: No net earnings will inure to the benefit of any member.

ARTICLE III – ELECTIONS AND BALLOTING

- A. Nominating Committee: The President will establish a Nominating Committee no later than February 28 of each election cycle. The Nominating Committee will make its own nominations and accept nominations of candidates by individual requests to be placed in nomination. All nominees will be members in good standing and will give consent to nomination before the Nominating Committee's report. Said report will be presented to the Executive Council at any meeting before the election. The election will be held on or before April 30.
- B. Slate of Candidates: A Nominating Committee will prepare a slate of candidates for President, Vice-President, Treasurer, and Secretary, as well as the Negotiations Advisory Committee – all to be elected by the membership.
- C. Procedures: Nominations, elections, and installation of officers will be governed by *Landrum-Griffin* and by applicable state and federal laws.
 - 1. Each member must receive at least 15 days notice of the procedures and deadlines to file as a candidate for the election and the date, time and place of the election.
 - 2. Every member must have a fair and equal opportunity to participate in the election without unreasonable impediments.
 - 3. Voting must be by secret ballot.

In a contested election, candidates must be allowed to station observers at the polling places.

- 4. Representatives of the competing candidates should be allowed to observe, but not actually participate in, the counting of ballots.
 - 5. The used, unused and challenged ballots; the envelopes used to return ballots; and other documents related to the election should be safely stored for one year in case there is a challenge to the election.
 - 6. No BFT funds may be used to support any candidate.
 - 7. The BFT should comply with reasonable requests to distribute campaign literature at the candidate's expense.
 - 8. Candidates have the right to inspect the membership list once within 30 days before the election. No candidate can have preferential access to the list.
 - 9. There will be an open nomination process for all elections.
 - 10. If there is only one candidate for a position, the election for the position may be waived and the candidate declared elected. In order to waive such an election, a reasonable period of time must have been provided for nominations and there will be no provision allowed for write-in votes for any election.
- D. Plurality: A simple plurality of votes cast will be necessary to elect a member to office.
 - E. Terms:
 - 1. Officers will be elected to a term of two years through June 30.
 - 2. Standing Committee Chairs will be appointed to a term of one year through June 30 or until a successor is appointed.
 - 3. Stewards will be elected to a term of one year through August 31 or until a successor is elected.
 - F. Certification: The election results will be certified at the Spring Business Meeting.
 - G. Stewards will be elected by the membership in their respective worksite/workgroups no later than the last week of September. Members will nominate Stewards from their own ranks and will cast their votes by secret ballot. Worksite/workgroups will be allowed one Steward for each thirty members or fraction thereof.
 - H. Vacancies, which occur during a term of office, will be handled as follows:
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1. The Vice-President will automatically fill a vacancy in the presidency.
 2. The Executive Council will fill other officer vacancies by appointment from volunteers.
 3. Each worksite/workgroup will elect its own Steward to fill any vacancy.
- I. Recall: Elected officers may be recalled by the following 3-part procedure:
1. A petition will be signed by a minimum of twenty-five percent (25%) of the membership. Only those who elect the officer or Steward may sign the petition of recall.
 2. The petition will be presented and discussed at a membership meeting.
 3. For the recall to pass, two-thirds (2/3) of the ballots cast must approve the recall. Only those who elect the officer or Steward may vote in the recall.
- J. Current Bargaining Team: The bargaining team in place when this Constitution and its Bylaws goes into effect will remain in place, until the Steward Council adopts a transition plan from the current bargaining team to the newly elected Negotiations Advisory Committee.

ARTICLE IV – DUTIES OF OFFICERS

- A. The President will:
1. Serve as the chief officer of the BFT.
 2. Preside at all meetings of the full membership, the Executive Council, and the Steward Council.
 3. Appoint members to district committees and committees defined by the Master Contract.
 4. Sit on any committee of the BFT, ex officio, with voting power in case of ties.
 5. Sign documents on the behalf of the BFT.
 6. In consultation with the Treasurer, authorize up to \$500.00 of expenditures for BFT matters.
 7. Arrange for the Treasurer's records to be audited by an independent auditing firm annually.
 8. Perform the usual duties of the office and other duties as assigned by the Executive Council, the Steward Council, or the membership.
 9. Represent the local when it is impossible to convene the Executive Council. Before action is taken, the President will consult with three Executive Council members.
 10. Perform the duties prescribed in this Constitution and its Bylaws.
 11. Appoint a Budget Committee, chaired by the Treasurer, to prepare a budget for the Executive Council.
 12. Work closely with the incoming president during the interim between the election and the new term of office.
- B. The Vice-President will:
1. Serve on the Executive Council and the Steward Council.
 2. Serve as an assistant to the President, carrying out the duties as assigned by the President.
 3. Cooperate with Stewards and address member concerns.
 4. Perform the duties of and have the powers of the President during any absence or inability of the President to act.
 5. Fill automatically any vacancy in the office of the President.
- C. The Secretary will:
1. Serve on the Executive Council and the Steward Council.
 2. Keep all records, including the minutes of all meetings, except those of committees.
 3. Distribute the agendas for and the minutes of meetings.
 4. Coordinate correspondence as directed by the President and assisted by the Communication Chair.
 5. File this Constitution and its Bylaws, annual mailing lists, and names of delegates with Education Minnesota, AFT, NEA, and AFL-CIO in accordance with the bylaws of those parent affiliates.
- D. The Treasurer will:
1. Serve on the Executive Council and the Steward Council.
 2. Assist in the Membership program.
 3. Receive and disburse all funds.
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4. Keep an accurate record of all transactions.
5. Submit the financial records of the BFT to an annual audit.
6. Chair the Budget Committee.
7. Submit a current monthly financial report to the Executive Council, Steward Council, and membership.
8. Be responsible for filing necessary legal documents.

E. The Stewards will:

1. Serve on the Steward Council.
2. Stand in for membership in the absence of membership meetings.
3. Report the proceedings of Steward Council meetings to their constituents.
4. Ensure representation of their constituency on committees.
5. Report membership concerns to the President.
6. Disseminate information to members.
7. Assist Membership Chair and Treasurer in maintaining accurate membership rosters.
8. Conduct short worksite/workgroup meetings as needed.
9. Serve in other capacities as directed by the President and Executive Council.

ARTICLE V – DUTIES OF COMMITTEES AND CHAIRS

A. The Organizing and Communications Committee will:

1. Designate its chair to serve on the Executive Council and the Steward Council.
2. Serve as a liaison to the community in matters of public relations (e.g. newspaper, radio, etc)
3. Serve as an internal communication link to members (e.g. website, newsletter, etc.)
4. Organize community outreach (e.g. Cornerstone, VEAP food drives, etc.)
5. Mobilize membership (e.g. committee support, fast response to critical BFT activity, etc.)
6. Support negotiations to reach a quality contract settlement.
7. Coordinate volunteers as needed.

B. The Membership Committee will:

1. Designate its chair to serve on the Executive Council and the Steward Council.
2. Disseminate membership information.
3. Assist the treasurer in enrollment of members.
4. Assist in the area of insurance and member services programs.
5. Coordinate fall membership activities.
6. Coordinate membership activities during the year.

C. The Legislative Committee will:

1. Designate its chair to serve on the Executive Council and the Steward Council.
2. Arrange for a member to attend all school board meetings in the capacity of School Board Liaison to take notes on the proceedings of School Board meetings and report to the Executive Council and Steward Council in a timely manner.
3. Inform membership of legislative issues related to education.
4. Coordinate activities before and during school board elections.
5. Serve as a resource for information on how to contact state offices and legislators.
6. Operate an overall program in political action, legislation, and the Education Minnesota Political Action Committee.

D. The Negotiations Advisory Committee will:

1. Designate its chair to serve on the Executive Council and the Steward Council.
 2. Be composed of up to three members elected from each of the following groups: high school, middle school, elementary school, special education, Early Childhood/Community Education, and other members as deemed necessary by the Executive Council.
 3. Educate members in the areas of collective bargaining, research, training, and communication.
 4. Poll the membership prior to negotiations as to their desires for contract improvements.
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5. Elect a Bargaining Team from the Negotiations Advisory Committee to bargain a Master Contract with the District, with the Chief Negotiator being selected by the Bargaining Team.
 6. Present the tentative agreement to the membership for ratification in accordance with this Constitution and its Bylaws.
 7. Form a Meet and Confer Committee comprised of the officers, Chief Negotiator, and other members as deemed necessary by the Executive Council to meet, as needed, with the District in matters outlined in Minnesota State Statute.
- E. The Member Rights Committee will:
1. Designate its chair to serve on the Executive Council and the Steward Council.
 2. Operate in accordance with a Grievance Policy, adopted by the Steward Council.
 3. Acquaint members with policies pertaining to all salary and working conditions.
 4. Provide information regarding legal assistance available to members and to conduct preliminary investigations of all matters referred to it.
 5. Act on all complaints and/or grievances brought by members.
- F. The Social Committee will:
1. Designate its chair to serve on the Executive Council and the Steward Council.
 2. Organize all social functions (new teacher luncheon, silent auction, recognition dinner, spring picnic, etc.)
 3. Appoint a committee member to recognize significant events in members' lives (wedding, births, illnesses, etc.)
- G. The Professional Issues Committee will:
1. Designate its chair to serve on the Executive Council and the Steward Council.
 2. Serve on District, State, National, and BFT committees on issues dealing with professional growth (e.g. staff development, evaluation, etc.)
 3. Serve as a liaison to the Professional Development Fund.
 4. Act as an advocate for membership in professional issues.

ARTICLE VI – MEMBER DISCIPLINE

- A. Action: The Executive Council will have the power to impose discipline on any member based on the provisions of this Article. Such action, in the form of censure, suspension, or permanent expulsion, will not be taken against any member except for cause. Cause will relate to conduct prejudicial to the purposes of the BFT that may include any one or more of the following:
1. Failure to remain a member in good standing with Education Minnesota, NEA, and AFT.
 2. Substantial violation of the Code of Ethics of the Board of Teaching or other licensing agency.
 3. Violation of a BFT policy in crisis situations affecting the entire District.
 4. Other good and sufficient cause whereby the conduct of the member would be prejudicial to the purposes of the BFT.
- B. Notice: Such action will be initiated by a complaint of a majority of BFT officers, with written notice to the member of the proposed action to be taken and the reasons thereof. Such notice will also include the statement that the member has ten (10) calendar days in which to request a hearing before the Executive Council, or a special BFT discipline committee, at which the member will be entitled to a representative of his/her choice to answer the charges and examine those making them.
- C. The hearing will be private or public at the choice of the member being disciplined, and the decision, by a simple majority, will be communicated, in writing, to the member, accompanied by a memorandum of findings of fact, within ten (10) days of the close of the hearing. A tie vote will indicate no action will be taken.
- D. BFT Appeal: Any member censured, suspended, or expelled under these provisions will have the right of appeal to the Steward Council or full membership, if applicable, within ten (10) days of receipt of the decision. The appeal hearing will be presided over by the BFT President who will grant a procedure that
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includes witnesses and right of cross-examination. The decision will be made by secret ballot with a simple majority present and voting. In the case of a tie, no action will be taken.

- E. State Appeal: Action to expel or suspend will be communicated to Education Minnesota. A member who is expelled or suspended from membership in the BFT will have the right of appeal to the Education Minnesota Governing Board in accordance with such policies and procedures as the Board may adopt.
- F. National Appeal: Appeal to the AFT and NEA will be governed by the policies and procedures adopted by those respective organizations.
- G. Remedies: No person may initiate a civil action lawsuit or proceeding in any court against the BFT or any of its officers, members, or employees on account of any discipline unless such person has exhausted the remedies of hearing and appeal as provided in this Constitution and its Bylaws.

ARTICLE VII – AVAILABILITY OF CONSTITUTION AND BYLAWS

- A. State and National: Copies of this Constitution and its Bylaws and all future amendments will be submitted to AFT, NEA, Education Minnesota, and the State Bureau of Mediation Services.
- B. Members: Upon request, the Secretary will provide a copy of this Constitution and its Bylaws to any BFT member.

ARTICLE VIII – BYLAW AMENDMENTS

The Bylaws may be amended by simple majority of BFT members present at any membership meeting, providing written notice of the contemplated changes has been sent to each member seven (7) calendar days before the meeting.

SIGNATURES

This revised Constitution and its Bylaws shall replace in totality any previously existing constitution and bylaws of the Bloomington Federation of Teachers. They shall become effective upon adoption.

This revised Constitution and its Bylaws were adopted by the membership on the 15th day of November, 2004.

Bloomington Federation of Teachers, Local 1182
(Seal)

Signed: _____, President

_____, Vice-President

_____, Secretary

_____, Treasurer

History:

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| <i>12/4/03</i> | <i>Reviewed by officers and committee chairs.</i> |
| <i>12/11/03</i> | <i>Reviewed by Executive Council (Building Stewards).</i> |
| <i>8/10/04</i> | <i>Modified by Constitution Committee.</i> |
| <i>8/11/04</i> | <i>Reviewed by officers and committee chairs.</i> |
| <i>10/14/04</i> | <i>Approved by Executive Council (Building Stewards).</i> |
| <i>10/25/04</i> | <i>Submitted to BFT Membership for ratification.</i> |
| <i>11/15/04</i> | <i>Ratified by BFT Membership.</i> |
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