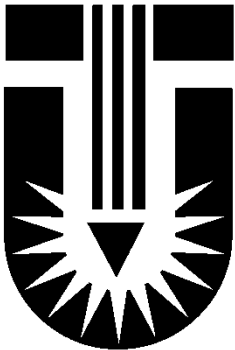


CONSTITUTION AND BYLAWS

Revised, May, 2011

Revised, January 2009

Revised, November 2002



United Teachers

O F W I C H I T A

Creating Tomorrow Together

TABLE OF CONTENTS

CONSTITUTION	1
ARTICLE 1: NAME AND OBJECTIVES.....	1
SECTION 1. NAME.....	1
SECTION 2. OBJECTIVES	1
ARTICLE II: FISCAL AND MEMBERSHIP YEAR	1
SECTION 1. MEMBERSHIP YEAR.....	1
ARTICLE III: AFFILIATION.....	2
SECTION 1. AFFILIATION	2
SECTION 2. OFFICERS AS DELEGATES	2
ARTICLE IV: MEMBERSHIP.....	2
SECTION 1. CLASSIFICATIONS.....	2
SECTION 2. MEMBERSHIP MEETING.....	2
ARTICLE V: OFFICERS.....	2
SECTION 1. COMPOSITION.....	2
SECTION 2. TERMS OF OFFICE.....	2
SECTION 3. QUALIFICATIONS	2
SECTION 4. DUTIES AND POWERS.....	2
SECTION 5. ELECTIONS.....	2
ARTICLE VI: GOVERNANCE.....	3
SECTION 1. REPRESENTATIVE ASSEMBLY	3
SECTION 2. EXECUTIVE BOARD	3
ARTICLE VII: FINANCE.....	3
SECTION 1. ANNUAL BUDGET.....	3
SECTION 2. DEPOSITS AND WITHDRAWALS.....	3
SECTION 3. PROPERTY, EQUIPMENT, GIFTS.....	4
SECTION 4. NON-PROFIT ORGANIZATION.....	4
SECTION 5. FINANCIAL REPORTS.....	4
SECTION 6. DISSOLUTION OF THE UNITED TEACHERS OF WICHITA.....	4
ARTICLE VIII: COMMITTEES	4
SECTION 1. STANDING COMMITTEES.....	4
SECTION 2. CHAIRPERSONS AND VICE CHAIRPERSONS.....	4
SECTION 3. TERM OF OFFICE FOR COMMITTEE CHAIRPERSONS.....	4
SECTION 4. MEMBERSHIP ON COMMITTEES.....	4
SECTION 5. DUTIES	4
SECTION 6. REPORTS.....	5
ARTICLE IX: AMENDMENTS TO THE CONSTITUTION AND BYLAWS.....	5

SECTION 1. AMENDMENTS TO THE CONSTITUTION	5
SECTION 2. AMENDMENTS TO THE BYLAWS.....	5
ARTICLE X: PARLIAMENTARY AUTHORITY.	5
SECTION 1. PARLIAMENTARY PROCEDURE.....	5
SECTION 2. PARLIAMENTARIAN.....	5
BYLAWS	5
BYLAW I: MEMBERSHIP.....	5
SECTION 1 ACTIVE MEMBERSHIP.	6
SECTION 2. RESERVE MEMBERSHIP.	6
SECTION 3. RETIRED MEMBERSHIP.....	6
SECTION 4. ASSOCIATE MEMBERSHIP.....	6
SECTION 5. SPECIAL MEMBERSHIP.	6
SECTION 6. MEMBERSHIP STATUS.	6
BYLAW II: DUE PROCESS	6
BYLAW III: QUALIFICATIONS AND DUTIES OF OFFICERS	6
SECTION 1. QUALIFICATIONS FOR ALL OFFICERS.....	6
SECTION 2. DUTIES	7
SECTION 3. VACANCIES	8
BYLAW IV: GOVERNING BODIES	9
SECTION 1. EXECUTIVE BOARD	9
SECTION 2. REPRESENTATIVE ASSEMBLY	12
BYLAW V: DELEGATES TO ASSEMBLIES AND OTHER MEETINGS.....	14
SECTION 1: DELEGATES TO THE WICHITA/HUTCHINSON LABOR FEDERATION OF CENTRAL KANSAS, KANSAS AFL-CIO, AND AFT.	14
SECTION 2: DELEGATES TO KNEA AND NEA	15
SECTION 3: ELECTION OF DELEGATES.....	15
SECTION 4: ASSIGNMENT OF ELECTED DELEGATES TO NEA RA AND BIENNIAL CONVENTIONS OF THE AFT.....	15
BYLAW VI: COMMITTEES.....	15
SECTION 1. STANDING COMMITTEES.....	15
SECTION 2. QUALIFICATIONS FOR COMMITTEE MEMBERS.....	15
SECTION 3. VACANCIES	15
SECTION 4. DISTRIBUTION OF INFORMATION.....	15
SECTION 5. EXPENDITURES.....	15
SECTION 6. RECORDS AND REPORTS.....	16
SECTION 7. QUORUM	16
BYLAW VII: ELECTIONS.....	16
SECTION 1. NOMINATIONS	16
SECTION 2: COORDINATION OF ELECTIONS	16

SECTION 3: VOTER ELIGIBILITY	16
SECTION 4. BALLOTS	16
SECTION 5. ELECTION RESULTS	17
SECTION 6. CAMPAIGN RULES.....	17
BYLAW VIII: RATIFYING NEGOTIATED AGREEMENTS	17
SECTION 1. NEGOTIATIONS TEAM	17
SECTION 2. EXECUTIVE BOARD.....	17
SECTION 3. REPRESENTATIVE ASSEMBLY	18
SECTION 4. MEMBERS OF THE BARGAINING UNIT	18
BYLAW IX: ETHNIC MINORITY PARTICIPATION	18
SECTION 1. RIGHTS	18
SECTION 2. ENCOURAGEMENT OF PARTICIPATION	18
SECTION 3. REPORT OF PARTICIPATION.....	18
SECTION 4. DEFINITION.....	18
BYLAW X: ADOPTION OF AND AMENDMENTS TO THE ARTICLES OF INCORPORATION.....	19
SECTION 1. EFFECTIVE DATE	19
SECTION 2. AMENDMENTS	19

CONSTITUTION

ARTICLE 1: NAME AND OBJECTIVES

Section 1. NAME

This organization shall be known as the United Teachers of Wichita and shall be incorporated.

Section 2. OBJECTIVES

The objectives of the United Teachers of Wichita shall be:

- A. To bring teachers together in a spirit of mutual assistance and cooperation;
- B. to unify and strengthen the teaching profession;
- C. to promote such a democratization of the schools as will enable teachers to equip their students to take their places in the economic, social and political life of the community;
- D. to provide, coordinate, and support educational programs in the Wichita area by promoting improvement of the teaching profession;
- E. to maintain a spirit of understanding and goodwill between members of the profession and community groups;
- F. to advance the professional, economic, social and civic status of teachers, both active and retired;
- G. to serve as the representative body that speaks with authority for teachers;
- H. to coordinate with the programs of the affiliates of the United Teachers of Wichita;
- I. to promote the welfare of the nation's children by providing progressively better educational opportunity for all;
- J. to empower members with a common voice on matters pertaining to the teaching profession;
- K. to present members' individual and common interests before the Board of Education and other authorities;
- L. to represent members when their legal rights have been infringed;
- M. to actively oppose all forms of discrimination in education;
- N. to speak to organized labor for teachers and to present the positions of organized labor to teachers;
- O. to speak to the community on behalf of teachers; and
- P. to do and perform all such acts and things as may be necessary, proper and convenient to transact, promote and carry out the objects and purposes above stated.

ARTICLE II. FISCAL AND MEMBERSHIP YEAR

Section 1. MEMBERSHIP YEAR.

- A. The membership year shall be from September 1 to August 31 inclusive.
Membership shall be continuous, other than exceptions specified by the Representative Assembly. Members may resign by sending written notice to the United Teachers of Wichita office by August 10. Resignations will become effective on September 1.

Section 2. FISCAL YEAR.

The fiscal year shall be from July 1 to June 30, inclusive.

ARTICLE III: AFFILIATION

Section 1. AFFILIATION

United Teachers of Wichita shall be affiliated with the American Federation of Teachers, the National Education Association, AFT-Kansas, the Kansas-National Education Association, the AFL-CIO, the Kansas AFL-CIO, and the Wichita/Hutchinson Labor Federation.

Section 2. OFFICERS AS DELEGATES

The President and Vice President of United Teachers of Wichita shall be a delegate to all conventions of the National Education Association, the American Federation of Teachers, AFT-Kansas, and the Kansas-National Education Association.

ARTICLE IV. MEMBERSHIP

Section 1. CLASSIFICATIONS

The United Teachers of Wichita shall have four (4) classes of members: Active, Reserve, Retired, and Associate. Other classes may be established by the Representative Assembly in accordance with the membership classes established by the AFT-Kansas, the Kansas-National Educational Association, the National Education Association, and the American Federation of Teachers. Qualifications for membership are prescribed in the bylaws.

Section 2. MEMBERSHIP MEETING

Members may attend any UTW Representative Assembly as non voting participants. Meetings for the entire membership may be called with approval of the Executive Board.

ARTICLE V: OFFICERS

Section 1. COMPOSITION.

The elective officers of the United Teachers of Wichita shall be a President, a Vice President, a Secretary, a Treasurer, and 10 at large Executive Board members.

Section 2. TERMS OF OFFICE

An election of officers and at large Executive Board members must be held every three (3) years. Newly elected officers will take office on June 15 following the election.

Section 3. QUALIFICATIONS

Any member in good standing 60 days prior to the election is eligible to run for office.

Section 4. DUTIES AND POWERS

The duties of the above officers shall be set forth in the bylaws.

Section 5. ELECTIONS

- A. Election procedures shall be set forth in the bylaws. Such procedures shall be consistent with federal and state laws governing activities of unions.
- B. Any active member in good standing as of January 15 prior to any election is eligible to vote.

ARTICLE VI: GOVERNANCE

Section 1. REPRESENTATIVE ASSEMBLY

- A. The Representative Assembly shall be the governing body of United Teachers of Wichita, the governing body of the KNEA UniServ District, and shall be responsible for approving all policies and resolutions for the organization. The Representative Assembly shall have the authority to contract with organizations to provide membership services for the United Teachers of Wichita. The Representative Assembly shall have the authority to override any action or appointment made by the President or Executive Board.
- B. One Monday of each month of the school term shall be designated as the regular meeting date of the Representative Assembly. A special meeting may be held at the call of the President or by petition of 15 percent of the voting members of the Representative Assembly, or by written request signed by three percent (3%) of the membership, such petitions being submitted to the President.
- C. At a Membership meeting or a Representative Assembly meeting, by a two-thirds (2/3) vote, the members may decide to submit an issue to referendum of the entire membership for decision, the wording of the question and the method of conducting the referendum shall be decided by a majority vote.
- D. Members may attend any UTW Representative Assembly as non-voting participants.

Section 2. EXECUTIVE BOARD

The Executive Board shall be a part of the Representative Assembly and shall also be responsible for administering the programs of the United Teachers of Wichita. The Executive Board will also act in an advisory capacity to the President and the Representative Assembly. Members may attend any UTW Executive Board meeting as observers.

ARTICLE VII: FINANCE

Section 1. ANNUAL BUDGET.

The United Teachers of Wichita shall operate under an annual budget which shall be: Drafted by the Budget and Audit Committee; presented to both the Executive Board and the Representative Assembly by no later than their April meetings; made available to the members for review after the April meeting of the Representative Assembly; and adopted by a membership meeting or the Representative Assembly at its May meeting.

Section 2. DEPOSITS AND WITHDRAWALS.

All monies of the United Teachers of Wichita shall be deposited in the name of the United Teachers of Wichita in institutions covered by federal insurance. The President, Vice President, Secretary and Treasurer shall be authorized to sign checks only when such checks are properly validated with a voucher. Two of the four signatures shall be required on all United Teachers of Wichita checks. One of the two signatures shall be required to be that of the President or Vice President.

Section 3. PROPERTY, EQUIPMENT, GIFTS.

The United Teachers of Wichita, through the Representative Assembly, shall be responsible for any acquired property, equipment, gifts, and other tangibles, and shall manage them within the objectives of the United Teachers of Wichita.

Section 4. NON-PROFIT ORGANIZATION.

The United Teachers of Wichita shall not operate for pecuniary gain or profit.

Section 5. FINANCIAL REPORTS.

Monthly and annual reports including income and expenditures shall be prepared by the Treasurer and presented to the Executive Board and Representative Assembly. The financial records of the United Teachers of Wichita shall be audited annually and the results reported to the Representative Assembly by the Treasurer.

Section 6. DISSOLUTION OF THE UNITED TEACHERS OF WICHITA.

Upon dissolution of the United Teachers of Wichita any assets shall be transferred, assigned and delivered to another corporation, fund, foundation or association which shall be qualified as an organization exempt from taxation under the provisions of Section 501 (A) and Section 501 © (5) of the Internal Revenue Code of 1954, as amended, or succeeding statutory provisions carrying out the same statutory intent and purposes, such specific recipient to be determined by a vote of a majority of the Representative Assembly.

ARTICLE VIII: COMMITTEES

Section 1. STANDING COMMITTEES.

The following regular standing committees shall be responsible for the continuing work of the United Teachers of Wichita.

- A. Budget and Audit
- B. Constitution and By-Laws
- C. Elections
- D. Membership
- E. Committee on Political Education (COPE)

Section 2. CHAIRPERSONS AND VICE CHAIRPERSONS.

The Executive Board will approve appointments of Committee Chairpersons no later than September.

Section 3. TERM OF OFFICE FOR COMMITTEE CHAIRPERSONS.

Each Chairperson of a United Teachers of Wichita committee shall begin his/her term of office upon approval of the Executive Board and shall continue in such capacity for a term of one (1) year.

Section 4. MEMBERSHIP ON COMMITTEES

Membership on Standing Committees may be rescinded, with just cause, by the Executive Board.

Section 5. DUTIES

Duties of the Standing Committees shall be set forth in the Bylaws.

Section 6. REPORTS

All Standing and Special Committees shall report to the Executive Board and to the Representative Assembly upon request.

ARTICLE IX: AMENDMENTS TO THE CONSTITUTION AND BYLAWS

Section 1. AMENDMENTS TO THE CONSTITUTION

Amendments to the Constitution shall be adopted by a secret ballot, majority vote of the general membership, provided the Representative Assembly has already approved the changes. The Representative Assembly must approve the changes with a 2/3 majority vote, provided the changes have been proposed at least two (2) weeks prior to that meeting, in writing, at either a regular or special meeting of the Representative Assembly, or a general meeting of the membership.

Section 2. AMENDMENTS TO THE BYLAWS

Amendments to the Bylaws shall be adopted by a secret ballot, majority vote of the Representative Assembly, provided the changes have been proposed, in writing, at least two (2) weeks prior to that meeting at either a regular or special meeting of the Representative Assembly, or a general meeting of the membership, or by a written call to meeting.

ARTICLE X: PARLIAMENTARY AUTHORITY.

Section 1. PARLIAMENTARY PROCEDURE

The rules contained in *Robert's Rules of Order, Newly Revised*, shall govern the United Teachers of Wichita except where otherwise specified by the Constitution and Bylaws of the United Teachers of Wichita.

Section 2. PARLIAMENTARIAN.

A Parliamentarian may be selected by the President.

BYLAWS

BYLAW I: MEMBERSHIP

Membership in United Teachers of Wichita shall not be denied to individuals on the basis of race, creed, religion, national origin, gender, sexual orientation, marital status, age or disability.

All members shall:

- A. Support the "Code of Ethics of the Education Profession;"
- B. Maintain simultaneous membership in local, state and national organizations, if available and required;
- C. Pay dues as specified by affiliate organizations.

Section 1. Active Membership.

Active membership shall be open to any professional, certificated employee of Unified School District 259 or any member of the teachers bargaining unit of Unified School District 259. All elective officers are considered active members. Educational Support Personnel who were active members of NEA-Wichita on August 31, 1996, will be eligible to continue as active members of the United Teachers of Wichita with the full rights and privileges of active membership. Active members shall enjoy privileges including: voting on all matters submitted to the membership; holding elective and appointive positions; receiving publications and reports; and receiving services available for/to active members.

Section 2. Reserve Membership.

Reserve membership shall be open to any person who is on leave of absence of at least six months from the employment that qualifies him or her for active membership, or who has held active membership in the United Teachers of Wichita but whose employment status no longer qualifies that individual for such membership. Reserve members who held active membership shall have all the rights and privileges of that membership class except the right to vote and hold elective office.

Section 3. Retired Membership.

Retired membership shall be open to any person who held active membership at the time of retirement or total disability. Retired members shall have all the rights and privileges of active members except the right to vote and hold elective office.

Section 4. Associate Membership.

Associate memberships shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership. Such memberships may be granted by the Executive Board in such instances and subject to such conditions as it may deem proper.

Section 5. Special Membership.

Other special memberships may be granted by the Executive Board in accordance with requirements of Kansas NEA, AFT-KANSAS, AFT and NEA.

Section 6. Membership Status.

Placement of individuals in a membership class shall be determined by the Executive Board. A member may appeal his or her placement to the Representative Assembly. A member shall not remain in a class of membership for which he/she is no longer eligible.

BYLAW II: DUE PROCESS

The Representative Assembly shall have the authority to censure, suspend, or expel members for unethical behavior. Charged members shall have the right to a hearing affording procedural due process by a Hearing Panel and the right to appeal its decision to the Representative Assembly. The Hearing Panel and the procedures to be followed are specified in Bylaw IV, Section 1, Paragraph H. Recall Provision.

BYLAW III: QUALIFICATIONS AND DUTIES OF OFFICERS

Section 1. Qualifications for all officers

All active members in good standing are eligible to hold office.

Section 2. Duties

A. The President shall:

1. Serve as official representative of the United Teachers of Wichita;
2. Preside as Chairperson of meetings of the Executive Board, the Representative Assembly, Membership Meetings, and functions.
3. Select for approval, Chairpersons, Vice Chairpersons, and members of committees, and commissions;
4. Serve as a voting member of the Executive Board and *a* voting member of the Representative Assembly, the Professional Negotiation Team and all standing and special committees;
5. Serve as a voting delegate and Chairperson of the delegation from United Teachers of Wichita to: the Kansas NEA State Representative Assembly, the Wichita/Hutchinson Labor Federation of Central Kansas, the biennial convention of the AFT-Kansas, and the biennial convention of the Kansas AFL-CIO, and the UniServ District Representative Assembly;
6. Serve as a voting delegate and Chairperson of the delegation from United Teachers of Wichita to the NEA Representative Assembly, and the biennial convention of the American Federation of Teachers;
7. Coordinate the activities of all committees, commissions, and Representative Assemblies with the administration of the total program of the United Teachers of Wichita;
8. Lead in the formulation of the program and activities of the United Teachers of Wichita Representative Assembly;
9. Give direction to officers, committee chairpersons, professional staff and others in their duties and responsibilities to the United Teachers of Wichita Representative Assembly;
10. Delegate authority to other members or employees of the United Teachers of Wichita;
11. Be responsible for the preparation of agendas for meetings of the Executive Board, Representative Assembly, and general membership;
12. Make appointments, as necessary;
13. Fill delegate and successor positions, as needed, in the order of the election results;
14. Sign checks and direct payment of bills;
15. Assign consultants, as necessary;
16. Call special meetings of the United Teachers of Wichita;
17. Be responsible for the preparation of reports to AFT-Kansas, Kansas NEA, NEA, AFT and government agencies;
18. Make necessary administrative decisions and act for the Representative Assembly, according to policy, during school recesses, reporting such action to the Representative Assembly at its next meeting; the President may consult or convene the Executive Board when such action is deemed necessary;
19. Supervise all United Teachers of Wichita staff.

B. The Vice President shall:

1. Assume all duties of the President in the temporary absence of the President;
 2. Assume the office of President in the event of a vacancy in the Presidency;
 3. Serve as a voting member of the Executive Board and *a* voting member of the Representative Assembly, the Professional Negotiation Team, and all standing and special committees;
 4. Sign or co-sign checks;
 5. Serve as a voting delegate to the Kansas-NEA State Representative Assembly, the Wichita/Hutchinson Labor Federation of Central Kansas, the biennial convention of the AFT-Kansas, and the biennial convention of the Kansas AFL-CIO, and the UniServ District Representative Assembly;
 6. Serve as a voting delegate to the NEA Representative Assembly, and the biennial convention of the American Federation of Teachers.
 7. See to the preparation of reports to AFT-Kansas, Kansas NEA, NEA, AFT and government agencies in the absence of the President.
- C. The Secretary shall:
1. Serve as a voting member of the Executive Board and a voting member of the Representative Assembly;
 2. Serve as Secretary at all meetings of the Executive Board and the Representative Assembly and take minutes of meetings of both groups;
 3. Maintain a record of such meetings of the United Teachers of Wichita;
 4. Co-sign checks.
- D. The Treasurer shall:
5. Serve as a voting member of the Executive Board and *a* voting member of the Representative Assembly;
 6. Serve as Chairperson of the Budget and Audit Committee and be responsible for the preparation of the annual budget;
 7. Monitor monthly line item expenditures and present the monthly financial statement to the Executive Board and Representative Assembly;
 8. Report to the Executive Board and Representative Assembly the results of annual audit of financial records of the United Teachers of Wichita.
 9. Co-sign checks;
 10. Assist the President in completing reports required by KNEA, AFT-KANSAS, AFT, NEA and government agencies.
- E. Term of Office.
- Each term of office shall be for three (3) years and shall commence on June 15 following the election.

Section 3. Vacancies

- A. If the President's office becomes vacant, the Vice President shall become President.
- B. Announcements of a vacancy in the office of Vice President, Secretary, or Treasurer shall be made prior to and at the next regular meeting of the Representative Assembly. At that meeting, nominations will be allowed from the floor or by petition. Petitions shall be signed by at least twenty-five active members and, in order to verify validity of petitioners, petitions must be filed in the offices of the United Teachers of Wichita at least two school days prior to their presentation. Nominations will close at the adjournment of that RA. The vacancy shall be filled by holding a secret ballot, majority vote election of

the Representative Assembly. the election shall be held at the next regularly scheduled meeting of the Representative Assembly.

- C. The Executive Board shall fill vacancies of at-large Executive Board members by appointment with the approval of the Representative Assembly.

BYLAW IV: GOVERNING BODIES

Section 1. Executive Board

A. AUTHORITY.

1. The Executive Board shall be a part of and act in advisory capacities to the Representative Assembly.
2. The Executive Board shall make recommendations which are to be presented to the Representative Assembly for its considerations and decision.
3. The Executive Board shall have the responsibility for implementing policies made by the Representative Assembly.
4. The Executive Board shall administer the program of the United Teachers of Wichita and perform the duties of an administrative body.
5. The Executive Board shall have the authority to act as the legislative body of the United Teachers of Wichita during school recesses.
6. The Executive Board shall call upon the professional and office staff of the United Teachers of Wichita to serve as consultants.

B. COMPOSITION.

The Executive Board shall be comprised of the 4 elective officers, 10 at-large members, the Uniserv's KNEA Board of Directors member, and any state or national director / office who is a member in good standing.

C. TERM OF OFFICE.

The term of office for elected members of the Executive Board shall be for three (3) years and shall commence on June 15 following the election.

D. FILLING OF VACANCIES.

A vacancy in an at-large position on the Executive Board shall be filled by appointment by the President and approved by the Executive Board and the Representative Assembly. If the vacancy occurs between the May meeting of the Representative Assembly and the beginning of the fall term of school, the presidential appointment shall require only the approval of the Executive Board. The person who fills an at-large position on the Executive Board shall serve the remainder of the term.

E. MEETINGS.

1. The Executive Board shall meet at least once each month during the school year, at a time established by the Executive Board.
2. If an officer or Executive Board member fails to attend three (3) consecutive regular meetings, that position may be declared vacant by a majority vote of the Executive Board.
3. Special meetings shall be called at such times as determined by the President or upon the written request of four voting members of the Executive Board.

F. QUORUM.

A majority of the voting members of the Executive Board shall constitute a quorum for the transaction of business.

G. DUTIES.

The Executive Board shall:

1. Set the qualifications, salaries, and other terms of employment of any staff specifically hired by United Teachers of Wichita;
2. Review the annual budget submitted by the Budget Committee and present it, with recommendations, to the Representative Assembly;
3. Make recommendations to the Representative Assembly;
4. Implement the policies and decisions of the Representative Assembly;
5. Promote professional activities for the United Teachers of Wichita;
6. Direct the program of defense for members of the United Teachers of Wichita;
7. Assist the President in the selection of Chairpersons, Vice Chairpersons, and members of all committees and approve final selections;
8. Provide for the annual audit of the financial records of the United Teachers of Wichita;
9. Consider recommendations from the Budget and Audit Committee for the purchase, repair, and replacement of equipment, as needed;
10. Represent the United Teachers of Wichita within policies established by the Representative Assembly, delegating authority to such groups as necessary in the implementation of this function;
11. Assist the President in the selection of members of the Professional Negotiation Team subject to the approval of the Representative Assembly;
12. Serve as voting members of the Representative Assembly;
13. Present items to be negotiated to the Professional Negotiation Team;
14. Authorize the Professional Negotiation Team, which is responsible at all times to the Executive Board, to negotiate;
15. Receive regular progress reports from the chief negotiator;
16. Make a recommendation to the Representative Assembly regarding ratification of the tentative agreement;
17. Approve appointments made by the President for the filling of vacancies;
18. Review annually the roles and responsibilities of all full-time release officers.
19. Act as joint employer of the UniServ District in conjunction with Kansas NEA; participate in determining the qualifications desired when hiring the UniServ Director; participate in setting performance expectations and the evaluation of performance; and participate in ratification of the Kansas Staff Organization contract which determines the UniServ Director's salary and terms of employment.

The same powers and duties shall be performed, with the cooperation of the UniServ Director, in regard to the UniServ Director's office staff.

H. RECALL PROVISION

An elected officer or a member of the Executive Board of the United Teachers of Wichita shall be removed for conduct tending to injure the good name of the United Teachers of Wichita, or not carrying out duties as defined in the Constitution and Bylaws.

1) Investigation Procedure

- a. In cases of alleged violations the Executive Board shall appoint a five member Investigation Committee which shall have the responsibility for determining the chargeable basis for the formal complaint, for gathering of evidence, and determining whether the evidence upholds the charges, and for making an evaluation report and recommendation to the Executive Board. Once the Investigation Committee has been formed, a maximum of thirty calendar days or twenty school days, whichever is less, shall be allowed for the investigative process.
- b. Upon receipt of the report of the Investigation Committee, the Executive Board shall meet no less than five or more than ten school days following the receipt of the report to determine whether a hearing is merited.

2) Formal Hearing

- a. The Executive Board shall develop guidelines for formal hearings and for the creation of a Hearing Panel comprised of members from the Representative Assembly. These guidelines must be presented to the Representative Assembly for approval and can only be amended by the Representative Assembly.
- b. After the hearing, the Hearing Panel shall render a verdict and may impose penalties on the officers or members found guilty of charges properly initiated. These penalties shall be removal from office, censure, suspension, expulsion, or fine.
- c. Within twenty (20) days following the hearing, the Hearing Panel will send, by certified mail, return receipt requested, written copies of the decision of the Board of Review, which shall include a statement of the right of appeal, to the charged party, the charging party, and the President, or if ineligible, the Vice President.

3) Appeal Procedure

- a. The Hearing Panel's decision may be appealed to the Representative Assembly by submitting the appeal in writing to the President or, if ineligible, to the Vice President, within thirty days of the receipt of the decision.
- b. A report, along with recommendations, shall be prepared by the Hearing Panel for presentation to the Representative Assembly specifying those charges which are determined to have a chargeable basis, and the evidence relating to such. A minority report from the Hearing Panel may also be presented to the Representative Assembly if any member or the chairperson of the committee is in disagreement with the findings of the majority report.
- c. The Executive Board shall develop guidelines for conducting appeal hearings before the Representative Assembly. These guidelines must be presented to the

Representative Assembly for approval and can only be amended by the Representative Assembly.

- 4) An attorney selected by the United Teachers of Wichita shall serve as a consultant to the Hearing Panel.
- 5) Rights and Privileges of the Defendant
 - a. To perform the duties of his/her position until such time as recall may be voted by the Representative Assembly;
 - b. To appear on his/her behalf, retain an attorney, call witnesses on his/her behalf, cross-examine witnesses, and enter statements of record and items of evidence on his/her behalf;
 - c. To refuse to testify against himself/herself;
 - d. To be accorded, in addition, all the rights and privileges accorded the accused in a court of law.

Section 2. Representative Assembly

A. COMPOSITION.

Voting members of the Representative Assembly shall be the professional representatives from the buildings, members of the Executive Board, UTW members of KNEA commissions, and the UTW representative on the KNEA-Retired Coordinating Council.

B. PROFESSIONAL REPRESENTATIVES

1. Each Professional Representative shall be elected by the United Teachers of Wichita members in his/her building and shall serve as the key contact with members of United Teachers of Wichita at the building level, reflecting the wishes of members when feasible, but having full authority to make decisions for such respective members.
2. The number of Professional Representatives to be elected by each building shall be determined by the number of current active members based in that building.
 - a. Each building having more than ten (10) active members shall be entitled to elect one additional Professional Representative for each additional ten (10) members or major fraction thereof.
 - b. When a building becomes eligible for an additional Professional Representative during the membership year, the building or group shall be entitled to elect an additional Professional Representative immediately. Immediately upon the decline of United Teachers of Wichita memberships in a building or group, such building or group will lose a proportionate number of Professional Representatives.
3. After open nominations, all Professional Representatives shall be elected by secret ballot by building members.
4. In buildings having two (2) or more Professional Representatives, the Representative receiving the most votes in the building elections will be the lead representative. If that Representative declines, the person receiving the next highest number of votes will serve as lead representative.

5. A building may elect as its Professional Representative any active United Teachers of Wichita member based at that building.
6. The Professional Representative(s) of each respective building shall be responsible for the election of a new Professional Representative(s) in the month of August. The name(s) of the Professional Representative(s) shall be reported to the office of United Teachers of Wichita before September 1 of the year in which term expires.
7. The Professional Representatives shall:
 - (a) Enroll new members of United Teachers of Wichita;
 - (b) Inform members regarding professional activities, services, achievements, and developments;
 - (c) Represent their members' interests, needs and wishes at United Teachers of Wichita meetings;
 - (d) Stimulate participation in United Teachers of Wichita activities among the membership;
 - (e) Reflect the wishes of their buildings in making recommendations for committee appointments and in nominating and voting for members to elective positions when required by the Bylaws;
 - (f) Conduct elections in accordance with the election procedures of the United Teachers of Wichita;
 - (g) Provide, in accordance with the Teachers Employment Agreement, for the fulfillment of duties connected with the School Building Committee;
 - (h) Assume, at the request of a member and in accordance with the Teachers Employment Agreement, responsibilities in relation to grievance procedure at the appropriate level as they affect aggrieved building personnel, and to accompany such persons (upon their request) to the Building Principal or immediate superior.
8. Term of Office
The term of office shall be for one year, starting no later than September 1.
9. Vacancies
Whenever a vacancy among the elected Professional Representatives from the building or group occurs, the UTW members based at that building or in that group shall elect by secret ballot, majority vote a new Professional Representative at once. Where there is not another Professional Representative, the President or designee shall conduct the election.

C. DUTIES OF THE REPRESENTATIVE ASSEMBLY

The Representative Assembly shall:

1. Serve as the governing body of the United Teachers of Wichita;

2. Serve as the key contact with members of the United Teachers of Wichita at the building;
3. Determine programs and activities of the United Teachers of Wichita;
4. Receive reports and initiate appropriate action;
5. Approve the annual United Teachers of Wichita budget and determine the United Teachers of Wichita annual dues for membership;
6. Provide a defense program for members of the United Teachers of Wichita;
7. Approve members of the Professional Negotiation Team;
8. Make a recommendation to the members of the bargaining unit regarding ratification of the tentative agreement;
9. Amend the Bylaws and recommend amendments to the Constitution.

D. VOTING PROCEDURES.

Each Professional Representative, or alternate, shall be entitled to only one vote at the Representative Assembly. A Professional Representative may designate any active member based at that building as his/her alternate by notifying the UTW office prior to a specific meeting.

E. QUORUM.

Representation by forty percent (40%) of the building sites where the United Teachers of Wichita has a Professional Representative shall constitute a quorum for the transaction of business.

F. SPECIAL MEETINGS.

1. Special meetings may be called by the President.
2. Upon petition of 3 percent of the active members, the President must call a special meeting within thirty days. The official notice sent to the buildings or individual members shall specify the purpose of the meeting as stated in the petition.

BYLAW V: DELEGATES TO ASSEMBLIES AND OTHER MEETINGS

Section 1. Delegates to the Wichita/Hutchinson Labor Federation of Central Kansas, Kansas AFL-CIO, and AFT.

The United Teachers of Wichita shall elect delegates to the biennial convention of the Kansas AFL-CIO and the biennial convention of the AFT. The United Teachers of Wichita shall also elect delegates to the Wichita/Hutchinson Labor Federation of Central Kansas and the Kansas AFL-CIO and other meetings in accordance with the AFT-Kansas, AFT, and the AFL-CIO governance documents.

Section 2. Delegates to KNEA AND NEA

The United Teachers of Wichita shall elect delegates to Kansas NEA District Representative

Assembly and the State Representative Assembly, and the NEA Representative Assembly.

Section 3. Election of Delegates

Nomination and election procedures for delegate positions to the above will be in accordance with respective organization's constitutions and bylaws.

Section 4. Assignment of elected delegates to NEA RA and Biennial Conventions of the AFT.

In same year elections for delegates to the NEA Representative Assembly and the Biennial Convention of the AFT, members may choose to be a candidate in both elections but will only attend one (1) meeting if elected to both. The delegate will choose which meeting to attend and an alternate candidate will be assigned to the open delegate spot. When all alternates have been assigned and an open spot remains, the dual winners will be assigned in order of total votes received in the original election to fill the delegate spot.

BYLAW VI: COMMITTEES

Section 1. Standing Committees

The standing committees of the United Teachers of Wichita are:

- A. Budget and Audit
- B. Constitution and By-Laws
- C. Elections
- D. Membership
- E. Committee on Political Education (COPE)

The composition and purpose for each committee shall be set in policy. All United Teachers of Wichita policies shall be made available to members upon request.

Section 2. Qualifications for Committee Members

In order to qualify as a member of a United Teachers of Wichita committee, a person must be a member in good standing of the of the United Teachers of Wichita.

Section 3. Vacancies

- A. Any member of a committee who fails to attend three (3) consecutive meetings of the committee, without a reasonable excuse, may be removed by a majority vote of the committee.
- B. Any vacancy occurring in the membership of committees shall be filled through appointment by the President with the approval of the Executive Board.

Section 4. Distribution of Information

Any materials for distribution on behalf of a committee shall be approved by the President and/or Executive Board.

Section 5. Expenditures

Expenditures shall be made from general funds of the United Teachers of Wichita as provided by the budget, with the approval of the President and/or Executive Board.

Section 6. Records and Reports

Each committee shall maintain records of meetings which shall be made available in the following manner:

- A. Copies of the records of business transacted at each meeting shall be made available to officers and members of the United Teachers of Wichita.
- B. All records and reports shall be available for inspection by United Teachers of Wichita members.

Section 7. Quorum

The chairperson of a committee may declare the presence of a quorum.

BYLAW VII: ELECTIONS.

Section 1. Nominations

- A. Candidates for election to officer positions and to positions on the Executive Board shall be nominated by the following methods:
- B. Nominations may be made from the floor at the January and February meetings of the Representative Assembly;
- C. Nominations may be made by petition signed by at least twenty-five active members and presented from the floor at the February meeting of the Representative Assembly; in order to verify validity of petitioners, petitions must be filed in the offices of the United Teachers of Wichita at least two school days prior to the February meeting. Elections for officers and at-large Executive Board members shall be held every third year. Plans for all elections must have approval of the Executive Board.

Section 2: Coordination of Elections

At the September Executive Board meeting, the Election Chair shall present a schedule of necessary elections required for the year.

Section 3: Voter Eligibility

Any active member in good standing as of January 15 prior to any election is eligible to vote.

Section 4: Ballots

- A. The officers of the United Teachers of Wichita shall be elected by secret ballot, majority vote of the eligible membership at large.
 - 1. An election shall be held on specified dates between the February RA and the April RA, as designated by the Election Chair and approved by the Executive Board.
 - 2. Election plans shall include provisions for absentee voting.
 - 3. The deadline for voting shall be specified by the Election Chair.
 - 4. Counting of the vote shall occur prior to the April Representative Assembly meeting.
 - 5. Unofficial results of elections shall be made available immediately by the Chairperson of the Elections Committee as soon as the counting of the ballots is declared to be completed. If no challenge is filed within one week of the day counting is completed, these results will be declared official by the Chairperson

of the Elections Committee at the May meeting of the Representative Assembly.

6. In the event that no candidate receives a majority vote for an office, a run-off election shall be conducted within two (2) weeks in accordance with procedures as established by the Elections Chair.
7. Nothing in this Article shall be construed to preclude the election of a write-in candidate for any office.

Section 5. Election Results

Results of the election shall be published in the next regular United Teachers of Wichita publication and sent to all members.

Section 6. Campaign Rules

The Elections Committee shall develop and the Executive Board shall approve ground rules for election campaigns. These rules shall apply equally to all candidates, as prescribed in the regulations under the Labor Management Reporting and Disclosure Act.

BYLAW VIII: RATIFYING NEGOTIATED AGREEMENTS

Section 1. Negotiations Team

All agreements reached by the negotiations team are tentative. The only announcement to be made when the tentative agreement has been reached is that tentative agreement has been reached and that the tentative agreement will be presented to the Executive Board. The negotiations team will present the tentative agreement to the Executive Board. The negotiations team, at the direction of the Executive Board, will present the tentative agreement to the Representative Assembly. In the event that a tentative agreement is reached during the summer recess, the Executive Board will act in place of the Representative Assembly.

Section 2. Executive Board

- A. The negotiations team will present the tentative agreement to the Executive Board. It is not in the Executive Board's power to accept or reject the tentative agreement. The Executive Board will direct the negotiations team to present the tentative agreement to the Representative Assembly.
- B. After considering the tentative agreement, the Executive Board will recommend one of the following to the Representative Assembly:
 1. That the tentative agreement be presented to the members of the bargaining unit for a vote without recommendation.
 2. That the tentative agreement be presented to the members of the bargaining unit for a vote with a recommendation that it be accepted.
 3. That the tentative agreement be presented to the members of the bargaining unit for a vote with a recommendation that it not be accepted.

Section 3. Representative Assembly

- A. The negotiations team will present the tentative agreement to the Representative Assembly. It is not in the Representative Assembly’s power to accept or reject the tentative agreement. The Representative Assembly is not required to accept the Executive Board’s recommendation. The Representative Assembly will present the tentative agreement to the members of the bargaining unit.
- B. The Representative Assembly will adopt one of the following:
 - 1. The tentative agreement is presented to the members of the bargaining unit for a vote without recommendation.
 - 2. The tentative agreement is presented to the members of the bargaining unit for a vote with a recommendation that it be accepted.
 - 3. The tentative agreement is presented to the members of the bargaining unit for a vote with a recommendation that it not be accepted.

Section 4. *Members of the Bargaining Unit*

The members of the bargaining unit will vote to accept or reject the tentative agreement.

BYLAW IX: ETHNIC MINORITY PARTICIPATION

Section 1. *Rights*

No member will be denied the right to hold UTW elective office or serve on a United Teachers of Wichita committee on the basis of his or her ethnicity.

Section 2. *Encouragement of Participation*

Consistent with Section A above, United Teachers of Wichita is committed to achieving meaningful participation by ethnic-minority members in all aspects of its operation, including representation on United Teachers of Wichita governing bodies and committees that reflects at least the ethnic-minority membership of the United Teachers of Wichita. Through its publications and otherwise, United Teachers of Wichita periodically will inform the United Teachers of Wichita membership of this commitment, and will take such legally-permissible actions as may be appropriate to assure its implementation, including specific actions designed to encourage ethnic-minority members to participate in the operation of United Teachers of Wichita.

Section 3. *Report of Participation*

United Teachers of Wichita will compile statistics regarding the participation of ethnic-minority members in its operation, including specifically the percentage of ethnic-minority members on its governing bodies and committees. The United Teachers of Wichita President, at least once each year, will report these statistics to the Representative Assembly.

Section 4. *Definition*

As used in this Article, the term “ethnic-minority member” means a member of United Teachers of Wichita who is African-American, Hispanic, Asian-Pacific Islander, or Native American-Alaska Native.

BYLAW X: ADOPTION OF AND AMENDMENTS TO THE ARTICLES OF INCORPORATION

Section 1. Effective Date

The Articles of Incorporation and the Constitution and Bylaws of United Teachers of Wichita shall become effective upon a majority vote of the Representative Assembly and proper filing with the Secretary of State of Kansas. Policies, commitments and officers existing at the effective date of the Articles of Incorporation and Constitution and Bylaws shall continue.

Section 2. Amendments

Amendments to the Articles of Incorporation may be proposed by any member of the United Teachers of Wichita, by any member of the Representative Assembly, or by a petition signed by at least fifty (50) active members.