

**BYLAWS**  
**FOR THE**  
**PIKES PEAK EDUCATION ASSOCIATION**

**As Amended May 4, 2021**

BYLAW I - MEMBERSHIP

Membership in the PPEA shall be limited to those local associations, within the UniServ boundaries, in good standing in the United Education Profession. Additionally, any person who is an educator in any district within the boundaries of Pikes Peak Education Association may be a member.

Section 1. Definitions

- A. The membership year of the corporation shall be from September 1 to August 31.
- B. A member must be a member in good standing at least thirty (30) calendar days before being eligible for UniServ Director representation at a RIF hearing.
- C. Educator - Any employee of a school district.
- D. United Education Profession - The united associations of Pikes Peak Education Association, Colorado Education Association, and National Education Association.
- E. Any educator at a charter school within the boundaries of the Pikes Peak UniServ Unit is eligible to be a member.
- F. Good and just cause: A sufficient reason, which is fair and proportional to the action creating the need to determine the basis for cause.
- G. Misfeasance: A mistaken or careless act, which causes harm.
- H. Malfeasance: An affirmative act that is illegal or unlawful, which causes harm.
- I. Nonfeasance: The failure to act when action is required, which causes harm.

Section 2. Membership Year

The Membership Year shall be September 1 through August 31. Specific policy and procedures for adding, dropping and renewing membership are found in the PPEA Policies and Procedures.

Section 3. Admittance

A local association may seek admittance to the UniServ Unit by petitioning the Board of Directors in writing. A local will be admitted by two-thirds vote of the Board of

Directors.

## BYLAW II – MEETINGS

### Section 1. Pikes Peak Education Association Representative Assembly

#### A. Structure

1. The PPEA Representative Assembly shall consist of at least one (1) representative and one (1) alternate from each member local and the President of the PPEA. Each member local shall be entitled to one (1) additional representative and one (1) additional alternate for each twenty-five (25) members, or fraction thereof, beyond the first twenty-five (25). For example, if a member local has twenty-six (26) members, the local is entitled to two (2) representatives and two alternates. The number of delegates per local shall be determined by the Colorado Education Association membership on March 1. Locals shall be responsible for selecting their own representatives and alternates. Locals shall elect their representative(s) and alternate(s) unless an insufficient number of members run for the positions and if an insufficient number run for representative or alternate then the Local may appoint the remaining representatives or alternates.
2. Locals shall notify PPEA in writing of the names of the selected representatives and alternates at least fourteen (14) days in advance of the Representative Assembly. Each representative shall have one vote at the Representative Assembly and must be present to vote. By the decision of the Board, representatives to the assembly may be voted into the roll call.

#### B. Eligibility

1. A representative to the PPEA Representative Assembly must qualify as a member in good standing with his/her local association that is affiliated with PPEA.
2. The local affiliate president shall be responsible for conducting the election of delegates to represent the affiliate, guaranteeing open nominations and secret ballot.

#### C. Voting

##### 1. Member Votes

Each representative present at a PPEA Representative Assembly shall have one vote on all matters. There shall be no proxies.

##### 2. Officer's Votes

Officers of PPEA do not vote unless they are an elected representative of their local.

##### 3. Counting of Votes

Votes shall be counted by non-representatives appointed by the Board of

Directors. There shall be at least two (2) people to count and witness the vote.

D. Quorum

A quorum for the Representative Assembly shall constitute a majority of all selected representatives.

Section 2. Pikes Peak Education Association Board of Directors

A. Powers and Duties

1. To implement the policies adopted by the PPEA Representative Assembly
2. To manage the programs and activities of the Unit
3. To enter into contracts on behalf of the Unit
4. To interpret and suggest changes to the PPEA Articles of Incorporation, the Constitution and these Bylaws
5. To recommend the budget to the PPEA Representative Assembly
6. To enter into a UniServ contract with the CEA and NEA
7. To interpret and suggest changes in this Constitution and By-Laws
8. To elect its own officers
9. To set its own internal rules of organization and operation
10. To hold title to real property and equipment
11. To employ staff and direct and control their activities
12. Board members are expected to regularly attend PPEA Board Meetings. If a Board Member misses two consecutive Board Meetings, that Board Member may be asked to give up their seat by a majority vote of the Board. The local may then appoint a new representative to fill that seat.

B. Composition

The PPEA Board of Directors shall consist of a minimum of one (1) representative from each member local association. Local Associations shall be responsible for electing their own representatives. If a Local Association has an insufficient number of members run to represent it on the Board then the Local Association may designate its remaining directors.

When a local's membership exceeds 75, then for each 75 members in good standing above the initial 75, a local shall be eligible for an additional seat on the Board of Directors. For example, if the Local has 230 members in good standing then it may have three (3) directors on the PPEA Board of Directors.

It shall be the responsibility of the local association to notify PPEA when it becomes eligible for an additional director.

C. Eligibility

A representative on the PPEA Board of Directors must qualify as a member in good standing of his/her local association that is affiliated with PPEA.

D. Voting

1. Sub-section (a) Member Votes

Each director present at a PPEA Board meeting shall have one vote on all matters. There shall be no proxies.

2. Sub-Section (b) Officer's Votes

The President may vote only to break a tie. The officers do not represent a local in the capacity of an office, but rather the PPEA. The other Officers of PPEA and any Representative of the Equity Council for Race and Culture established by this Constitution shall cast one vote on the Board of Directors. No individual may vote both as an officer and a director representing his or her local.

3. Sub-Section (c) Ex-Officio Members

Any PPEA member serving on the CEA Board of Directors and/or, NEA Board of Directors, shall be ex-officio non-voting members of the PPEA Board of Directors.

E. Terms of Office

Terms of office for members of the Board of Directors shall be one (1) year with no maximum and shall begin on July 1 of each year. If the Local Association notifies PPEA of its director(s) for that term at any time after July 1, then that director(s)' term shall continue for the rest of that term.

F. Impeachment

1. Written reasons for impeachment are provided to the Board of Directors through the Vice President within five (5) calendar days of receipt, whereupon a vote shall be taken regarding impeachment proceedings.
2. A three-quarters (3/4) vote of the entire Board of Directors shall be required for impeachment proceedings to be initiated.

3. The Board shall choose five (5) of the representatives present to serve on an impeachment panel, selecting one of those five members to act as Chair within seven (7) calendar days of the vote to initiate impeachment proceedings.
4. The Chair shall, within seven (7) calendar days of being seated, schedule a hearing with the Panel. At the time of scheduling, all parties shall be informed of the opportunity to call witnesses to testify during the hearing. All parties shall be responsible for contacting and coordinating the attendance of witnesses at the hearing who they intend to call.
5. The hearing shall be convened no later than fourteen (14) calendar days of the date the Chair was seated to chair the impeachment proceedings.
6. The Panel, at that hearing, shall address the reasons for the complaint, which were provided in writing, and gather evidence from the testifying witnesses.
7. The Panel shall be given a reasonable amount of time, not to exceed thirty (30) calendar days after the date of the hearing, to thoroughly investigate the charges made, and determine a recommendation of censure, if any, to the Board of Directors.
8. Within twenty (20) calendar days of the determination, the Panel shall report their findings and/or actions to the Board of Directors.
9. Censure requires a two-thirds (2/3) vote of the entire Board of Directors for action to be imposed upon the President.

G. Function and Purpose

The primary function of the Board of Directors shall be administrative. It shall implement policy established by the Representative Assembly.

The Board shall not take any action on a business item unless the agenda for such meeting and the business items, which are the subject of that meeting, have been communicated at least twenty-one (21) days in advance and again fourteen (14) days in advance to each of the directors. Additions to the Board meeting agenda shall be permitted with a two thirds (2/3) vote of the Board of Directors.

H. Quorum

A quorum for the Board at a meeting shall constitute a majority of all seated directors.

Section 3. Robert's Rules of Order

- A. Meetings of the PPEA Representative Assembly and the PPEA Board of Directors shall be in accordance with Robert's Rules of Order unless otherwise specified within the Constitution and Bylaws of PPEA.
  
- B. The Board of Directors shall appoint a parliamentarian with sufficient experience, knowledge and training of Robert's Rules of Order.

BYLAW III - OFFICERS

Section 1. Powers and Duties

A. President

- 1. Preside over meetings of the Board of Directors and Representative Assembly
- 2. Appoint committee members of ad hoc committees with approval of Board of Directors
- 3. Appoint committee chairs for standing committees
- 4. Represent PPEA before the public either personally or through a designee
- 5. Perform all the functions usually attributed to this office
- 6. The President is expected to read, understand, and uphold the provisions of these bylaws.

B. Vice President

- 1. The Vice President shall carry out the duties assigned by the President.
- 2. In the event the President is unable to carry out the responsibilities of the office, the Vice President shall assume the duties of the President.
- 3. The Vice President is expected to read, understand, and uphold the provisions of these bylaws.

C. Secretary

- 1. Be responsible for seeing that accurate minutes are taken of all meetings of the Pikes Peak Education Association Board of Directors and Representative Assemblies
- 2. Maintain the official files
- 3. Assist the President of PPEA with correspondence of the Unit
- 4. The Secretary is expected to read, understand, and uphold the provisions of these bylaws.

D. Treasurer

- 1. Oversee the dispersal of funds upon authorization of the Board of Directors
- 2. Chair the Budget Committee and prepare the budget to be presented to the members of the PPEA Board of Directors in March of each year for the Board of Director's recommendation
- 3. Oversee the assessment of each member association for the amount of dues

owed in accordance with the Bylaw V

4. Oversee the preparation and proper filing of tax forms for the unit
5. Oversee the preparation of the Annual Audit
6. The Treasurer is expected to read, understand, and uphold the provisions of these bylaws.

E. Representative of the Equity Council for Race and Culture

1. Represent ethnic minority viewpoints to the organization
2. Serve as Chairperson of the Nominating Committee
3. The Representative of the Equity Council for Race and Culture is expected to read, understand, and uphold the provisions of these bylaws.

F. Community Liaison

1. To represent the interests of PPEA with various community, labor and political organizations with which PPEA is associated
2. To make regular reports to the Board of Directors
3. To build relationships with various community, labor and political organizations with which PPEA may wish to be associated

G. Vacancy

A vacancy in the office of President shall be filled by the Vice President until the next regular election. A vacancy in the office of Vice President, Secretary, Treasurer, or Representative of the Equity Council for Race and Culture shall be filled through appointment by the Board of Directors until the next regular election.

H. Impeachment

1. Written reasons for impeachment are provided to the Board of Directors through the Vice President within five (5) calendar days of receipt, whereupon a vote shall be taken regarding impeachment proceedings.
2. A three-quarters (3/4) vote of the entire Board of Directors shall be required for impeachment proceedings to be initiated.
3. The Board shall choose five (5) of the representatives present to serve on an impeachment panel, selecting one of those five members to act as Chair within seven (7) calendar days of the vote to initiate impeachment proceedings.
4. The Chair shall, within seven (7) calendar days of being seated, schedule a hearing with the Panel. At the time of scheduling, all parties shall be informed of the opportunity to call witnesses to testify during the hearing. All parties shall be responsible for contacting and coordinating the attendance of witnesses at the hearing who they intend to call.
5. The hearing shall be convened no later than fourteen (14) calendar days of the date the Chair was seated to chair the impeachment proceedings.
6. The Panel, at that hearing, shall address the reasons for the complaint, which were provided in writing, and gather evidence from the testifying witnesses.

7. The Panel shall be given a reasonable amount of time, not to exceed thirty (30) calendar days after the date of the hearing, to thoroughly investigate the charges made, and determine a recommendation of censure, if any, to the Board of Directors.
8. Within twenty (20) calendar days of the determination, the Panel shall report their findings and/or actions to the Board of Directors.
9. Censure requires a two-thirds (2/3) vote of entire Board of Directors for action to be imposed upon the President.

#### BYLAW IV – BUDGET

##### Section 1. Approval

The PPEA Board of Directors shall recommend a balanced budget that will be submitted to the PPEA Representative Assembly for its approval. The intention is for the budget to be approved on or about the time staff bargaining is concluded. Budget approval shall be by a majority of the delegates to the PPEA Representative Assembly voting on the passage of said budget.

##### Section 2. Process

- A. Each standing committee shall develop a budget proposal for their area of responsibility that is based upon Unit goals for submission to the Budget Committee.
- B. The Budget Committee shall submit the total budget proposal to the Board of Directors for recommendation to the Representative Assembly.

#### BYLAW V – PPEA DUES

##### Section 1

Dues for member locals shall be based upon the number of full time equivalent certificated members of said local times 0.328% of the Colorado Average Teacher's Salary as determined by the Colorado Education Association Delegate Assembly.  
*[Amended at the May 11, 2006 Representative Assembly.]*

##### Section 2

Member Locals shall be assessed dues for any local ESP members at the rate of one-half (1/2) of the dues for Certificated members.

##### Section 3

Dues for retired members shall be set by the Representative Assembly.



#### Section 4

Members who are placed on active military duty shall have their PPEA dues waived during the active duty period.

#### Section 5. Every Member Option

Every Member Option (“EMO”) - Active membership dues shall include an additional fee every month for each member, as established annually by the PPEA Representative Assembly. Said EMO amount will be collected by the local and transmitted to the Pikes Peak Fund for Quality Education from those dues received through payroll deductions. The fee shall be added to the dues in Section 1 and collected in the same manner.

Any member that provides written notification of his desire to have the EMO amount refunded must do so by December 15 of each year for that year’s EMO amount. The reimbursement shall be mailed by the Pikes Peak Fund for Quality Education treasurer within 60 days of the receipt of the written request from the member.

### BYLAW VI – COMMITTEES

#### Section 1. Reporting

- A. All committees shall have a chairperson.
- B. The chairperson shall be responsible for keeping the president apprised of all actions and decisions of the committee.
- C. Any decisions made by a committee shall be by simple majority vote.
- D. Any committee shall use parliamentary procedure consistent with Roberts Rules of Order.

#### Section 2. Ad Hoc Committees

The PPEA Board of Directors may establish Ad Hoc committees as needed and shall ensure that the President makes the composition of such committees as diverse as possible.

#### Section 3. Executive Committee

- A. The Executive Committee shall consist of the officers of PPEA. The following individuals shall serve as non-voting, ex-officio members of the Executive Committee: any members of PPEA serving on the CEA Board of Directors, the NEA Board of Directors, and the PPEA Executive Directors. The immediate past President of PPEA may be asked by the newly elected President of PPEA to serve

as an ex-officio member of the Executive Committee.

- B. The Executive Committee shall represent and shall act for and on behalf of the Board of Directors on all matters affecting the general policies and interest of the Association between the meetings of the Board of Directors, except in such instances when a decision will require a vote of the PPEA Representative Assembly. For any unexpected expense beyond \$1,000, the Executive Committee shall submit to and get approval from the Board of Directors. If the exigencies of the matter require the expenditure prior to the next Board meeting then the Executive Committee may take a telephone poll or electronic vote of all seated directors and require approval by a majority of all seated directors.

#### Section 4. Standing Committees

- A. Committees - The following committees shall be the Standing Committees of the PPEA:
  - 1. Membership - Charged with increasing membership numbers, engagement of existing members, and increasing the value of membership
  - 2. Rights - Charged with advising members on their rights and taking responsibility for training more members about their rights
  - 3. Negotiations - Charged with understanding negotiations, improving conditions through negotiations and training members around obtaining and maintaining a collective bargaining agreement
  - 4. Communications - Charged with representing PPEA in the most positive light to members and non-members alike
  - 5. Legislative - Charged with improving the impact of PPEA on public policy through legislative and political success
  - 6. Budget - Charged with reviewing other committee budgets and creating a budget to propose to the Board of Directors. Oversees financial operations of special projects, programs, and grants awarded to PPEA.
- B. Chairpersons - The President of PPEA shall appoint the Standing Committee chairs with the exception of the Budget Committee which shall be chaired by the Treasurer.
- C. Members - The Standing Committees shall be made up of program area designees of each member local association and each committee shall provide coordination, planning and implementation for its respective program area for the Unit as established in the budget.
- D. Program Budget - Each Standing Committee shall submit a budget proposal for their program area to the Budget Committee in sufficient time to provide for its inclusion within the proposed budget submitted to the Board of Directors.

### Section 5. Nominating Committee

The purpose of the Committee is to solicit candidates for the ballot of PPEA Officers. The Committee will consist of two (2) to four (4) members, representative of the same number of locals. The Representative of the Equity Council for Race and Culture of the Executive Board or in his/her absence, the President, will appoint the Committee at least ninety (90) days prior to the Representative Assembly. The Committee will submit a sample ballot to each local at least fifteen (15) days prior to the Representative Assembly.

### BYLAW VII - CONFLICTS OF INTEREST

Definition - A conflict of interest arises when a person has the ability to influence a decision made by the Association where they will personally benefit from the outcome of that decision.

When a perceived conflict of interest concerning a person's involvement in a decision occurs, the person who has the conflict of interest shall take all steps necessary to cure any questions of self-interest. Such cures may include, but are not limited to, recusing himself or herself from a vote, stepping down from a committee, or resigning from office. In the event the perceived conflict of interest is not cured, the Board of Directors would initiate an investigation.

### BYLAW VIII - AMENDMENTS

The PPEA Representative Assembly may adopt amendments to these Bylaws by a simple majority of the PPEA Representative Assembly delegates present and voting at the annual meeting or any special meeting. The proposed amendment(s) shall be distributed to the delegates of the PPEA Representative Assembly at least thirty (30) days prior to any meeting at which said amendments are to be voted upon.

Amendments may be submitted in writing to the Chair of the Representative Assembly for inclusion on the agenda by any member in good standing of a member local, the Board of Directors or a designated committee of the Board of Directors. Such amendments shall be submitted in sufficient time to provide for their printing and circulation within the timelines prescribed.