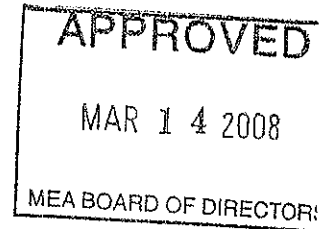


**Durand Support Staff Association, MESPA
Local Constitution**



Preamble

We, the support personnel of the Durand Area School District in Shiawassee County believing that the support personnel must institute its own self-government, secure proper recognition and responsibility for the well-being of its members adopt this Constitution.

I. Name

The name of this organization shall be the Durand Support Staff Association, MESPA, MEA-NEA, an affiliated unit of the Michigan Education Association and the National Education Association. The association shall be a nonprofit corporation organized in accordance with the laws of Michigan.

II. Purpose

- A. To work for the welfare of school children, the advancement of education and the improvement of instructional opportunities for all.
- B. To secure and maintain the wages, fringe benefits and other working conditions necessary for members.
- C. To enable members to speak with a common voice in matters of district policy pertaining to their interests and to present their common interests before the Board of Education and other legal authorities as provided by law.
- D. To encourage members to exercise their rights and privileges as citizens, and to accept willingly leadership in civil affairs.

III. Membership

- A. All persons employed and engaged in support services who meet the active membership requirements of the Michigan Education Association may, upon payment of dues as herein provided, become active members of the Association.
- B. Individuals paying an agency shop fee shall have no rights or privileges within the Association.
- C. Active members of this organization shall also be members of the

Michigan Education Association and the National Education Association.

- D. No member shall be censured, suspended or expelled without due process hearing. The hearing shall be conducted by the local trial body or by the local governing body if no trial body exists. An appeal may be made to the MEA Board of Reference.

IV. Officers and Boards

- A. *Officers.* The officers of the organization shall consist of a president, a vice president, a secretary/treasurer. Beginning with the 2008 elections officers terms shall be for two (2) years and shall commence on September 1. Elections shall be held prior to April 1. The president, or duly elected officer, shall serve as a Region Council delegate.
- B. *MEA Representative Assembly delegates.* The term of office for MEA Representative Assembly delegates and alternates shall be two (2) years commencing on September 1. Elections shall be held prior to April 1. When there are four (4) or more MEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1G shall be elected as required by the MEA Constitution and Bylaws. Each MEA Representative Assembly delegate shall serve as a Region Council delegate.
- C. *NEA Representative Assembly delegates.* The term of office for NEA Representative Assembly delegates and alternates shall be two (2) years commencing on September 1. Elections shall be held prior to April 1. When there are three (3) or more NEA Representatives Assembly delegates elected, Representative(s) of Minority Person 3-1G shall be elected as required by the MEA Constitution and Bylaws.
- D. *Any additional Region Council delegates.* The term of office for any additional Region Council delegates shall be two (2) years commencing on September 1.
- E. *Governing body.*
 - 1. There shall be a governing body known as the Executive Board consisting of the officers, association representatives, region delegates and MEA Representative Assembly delegates who are members of Durand MESPA.
 - 2. *Representation of Minority Person 3-1G.* The ethnic representation shall be in compliance with the constitutions and bylaws of the National Education Association. In the event that the ethnic

representation is less than required by the constitutions and by-laws of the MEA and NEA, rules and procedures shall be established for an at-large election to ensure proportionate ethnic minority representation.

- F. *Replacement.* Any member of the Executive Board who is absent from three consecutive regularly scheduled meetings of the Board shall no longer be considered a member of the Executive Board and the position shall be filled according to procedure provided in the bylaws.
- G. *Ex Officio.* Those who are members by virtue of office held are entitled to all privileges of membership except the right to vote.

V. Direct Legislation

- A. *Initiative.* The rights of popular initiative shall rest with the active membership of the association. Upon receipt of a petition signed by fifteen percent (15%) of the active membership of the association, the secretary shall announce a general meeting or ballot as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later.
- B. *Referendum.* The rights of referendum shall rest with the active membership of the association. Upon receipt of a petition signed by fifteen percent (15%) of the active membership of the association, the secretary shall announce a general meeting or ballot as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later.
- C. *Recall.* The right of recall shall rest with the electing body. Upon receipt of a petition signed by fifteen percent (15%) of the membership of the electing body, the secretary shall announce a general meeting or ballot by the electing body as indicated on the petition with fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later. Delegates to the MEA Representative Assembly may only be recalled for just cause.
- D. Petitions shall be filed with the secretary. However if the secretary is the subject of the petition, the petition shall be filed with the most senior member of the executive board not subject to the petition.

VI. Membership and Fiscal Year

The membership and fiscal years shall be September 1 through August 31.

VII. Amendment

Amendments to this constitution may be introduced at any regular meeting of the Executive Board and shall be acted upon at a subsequent meeting of the membership but not later than two subsequent meetings or by mail ballot within thirty (30) days of introduction. A copy of the proposed amendment, together with the recommendations of the Executive Board shall be presented to each member of the Association. A two-thirds (2/3) affirmative vote by secret ballot, is required to adopt the proposed amendment which shall become effective immediately upon adoption unless otherwise provided.

DATE RATIFIED: _____

January 14, 2008

DATE AMENDED: _____

Durand Support Staff Association, MESPA Bylaws

I. Rules

Robert's Rules of Order, latest edition, shall be authority of all questions of procedure not specifically stated in this Constitution and Bylaws.

II. Meetings

- A. General membership meetings shall be called by the president or executive board as needed. At least eighteen (18) hours notice is required, specifying date, place and purpose of such meetings.
- B. The executive board shall meet monthly during the school year or in accordance with the calendar adopted by the executive board. After establishment of a calendar, the membership shall be notified of dates, times and place of meetings.
- C. Except as specified in MEA Administrative Policies meetings shall be open to all members and members shall be permitted to address meetings.
- D. Contract ratification meeting.
 - 1. Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for ratification vote. Purposed changes will be discussed at the contract ratification meeting.
 - 2. A majority vote of those members voting shall be required for ratification.
 - 3. Only members in good standing may vote on ratification.
- E. *Order of Business.* An order of business shall be established for all general and special meetings, such order to include the means of bringing any and all business matters before the membership.

III. Quorum

- A. For purposes of determining a quorum, a majority shall be required for all meetings of the executive board, committees, and at ratification meetings.
- B. For purposes of determining a quorum at general membership meetings one-third (1/3) of the active membership shall be required.

IV. Duties of Officers

- A. *President.* The president shall reside over meetings, appoint chairpersons and members of committees subject to the approval of the executive board, be an ex-officio member of all committees except the nominating committee, represent the association before the public, be executive office of the association, be a delegate to the annual MEA Representative Assembly, and perform all other functions attributed to this office.
- B. *Vice-President.* The vice-president shall serve in the president's absence; work with one or more committees as delegated by the president.
- C. *Secretary/Treasurer.* The secretary/treasurer shall keep accurate minutes of all meetings of the association and executive board, making minutes available for membership inspection, maintain official files, assist the president with association correspondence, hold funds of the association and disburse them according to decisions of the executive board, maintain a roll of the members, keep an accurate account of receipts and expenditures, report to each meeting of the association and executive board, prepare an annual financial statement for the membership, keep the president and the executive board informed of the financial condition of the association, and assist in drafting an annual budget. The secretary/treasurer shall be bonded and the association shall provide for annual audit of the books.

V. Powers of the Executive Board

Upon the executive board shall rest the duties, responsibilities and final authority for the conduct of the association in all matters except as provided in the Constitution and Bylaws. The board may at any time refer matters to the general membership for consideration.

VI. Association Representatives

- A. There shall be one representative for each building within the school district.
- B. Duties shall be to attend regular meetings of the association, call meetings of building membership to discuss association business, and provide communication between members and executive board.
- C. Term of office shall be for two (2) years and commence September 1.
- D. Vacancy in the position of association representative shall be filled by special election in the building.

VII. Committees

The president is authorized to establish such committees as the executive board or the general membership deem advisable.

VIII. Negotiating Team

The negotiating team shall be appointed by the president, subject to the approval of the executive board. The team shall consist of at least one (1) representative from each of the classifications within the local association. The members of the team shall serve for the duration of the master agreement which they negotiate or are actively negotiating.

IX. Nomination and Elections

- A. The president shall appoint an elections committee, which shall establish election procedures that guarantee that all elections shall provide for open nominations by active members, secret ballot, voting procedures and preservation of ballots for a least one (1) year. The preserved ballots shall be kept in the custody of the president.
- B. The executive board shall certify the elections committee report and publish results of the election. Official reports of elections must be filed with MEA within thirty (30) days after the election. Official reports of elected representative assembly delegates shall be filed with MEA within ten (10) days after the election.
- C. A vacancy in any of the positions shall be filled by the executive board until the next general election, except a vacancy in the position of MEA or NEA Representative Assembly delegate(s). A NEA or NEA Representative Assembly delegates(s) shall be replaced by the duly elected alternate(s).
- D. Every active member in good standing shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.
- E. All elections shall be concluded by April 1 of each election year. All officers and representatives shall take office on September 1, unless contract negotiating is ongoing.

X. Dues

Local dues for full time employees shall be \$10.00. Local dues for part time employees shall be \$5.00.

XI. Amendment

Bylaws may be amended by a majority affirmative vote by secret ballot, at any regular membership meeting or special membership meeting provided that notice in writing of the proposed amendment is filed with the secretary/treasurer and presented at the meeting preceding the one at which it is to be voted on. amendments to Bylaws go in to effect immediately unless otherwise provided.

DATE RATIFIED: _____

January 14, 2008

DATE AMENDED: _____