

# Perry Education Association Constitution

Incorporated September 9, 1966

Amended April 20, 2015

Ratified April 29, 2015

**APPROVED**

NOV 06 2015

MEA BOARD OF DIRECTORS

## Preamble

We, the professional educators of the Perry Public School District, believing that we must institute our own self-government and secure proper recognition and responsibility for the well being of our members, adopt this Constitution.

## I. Name

The name of this organization shall be the Perry Education Association 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

The objective of this association shall be the improvement of education, the advancement of the interests of education, of educators, and the promotion of the professional growth of its members.

## III. Membership

- A. All persons who meet the active membership requirements of the Michigan Education Association may, upon payment of dues as herein provided, become active members of the Perry Education Association with full rights and privileges of membership.
- B. Active members of this organization shall also be members of the Michigan Education Association and the National Education Association.
- C. No member shall be censured, suspended or expelled without a 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.
- D. Active members who meet the requirements established by the MEA in the Dues Transmittal Policy for the payment of dues shall be considered active members in good standing and shall be entitled to the rights, privileges and benefits of membership.

## IV. Officers and Governing Bodies

- A. Officers. The officers of the Perry Education Association shall consist of a president, a vice president, a secretary, and a treasurer. Terms of officers shall be for two years and elections shall be held prior to April 1<sup>st</sup> of the election year. Positions will be held for a two year term of office. The President, or duly elected officer, shall serve as a Region 8 Council delegate.
- B. No person shall be a candidate for office or position or hold office or position, whether elected or appointed, in the association unless he or she is an active member in good standing. Any office or position holder, whether elected or appointed, of the association that does not maintain active membership in good standing shall be removed from office after notice and opportunity to return to good standing within 30 days.
- C. MEA Representative Assembly Delegates. The term of office for MEA Representative Assembly delegate shall be for two (2) years commencing on September 1. (Election must be held prior to June 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. The first MEA Representative delegate may be filled by the PEA President.
- D. NEA Representative Assembly Delegates. The term of office for NEA Representative Assembly delegates and alternates shall be two (2)years commencing of September 1. Elections shall be held prior to April 1. When there are three (3) or more NEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1G shall be elected as required by the MEA Constitution and Bylaws. The first NEA Representative delegate may be filled by the PEA President.
- E. Any additional Region Council delegates. The term of office for any additional Region 8 Council delegates shall be two years commencing on April 1. The RA and PEA president may also attend Region 8 meetings.
- F. Governing body:
1. There shall be a governing body (known as the Board of Directors), which shall consist of officers, association building representatives, a delegate to the MEA Representative Assembly, a Region 8 delegate, (4) delegates to the Shiawassee County Education Association, and committee chairpersons.
  2. Representation of Minority Persons 3-1G. The ethnic representation shall be in compliance with the constitutions and bylaws of the National Education Association and the Michigan

Education Association. In the event that the ethnic representation is less than required by the constitutions and bylaws 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.

#### **V. Direct legislation**

- A. Initiative. The rights of popular initiative shall rest with the active membership in good standing of the association. Upon receipt of a petition signed by fifteen percent (15%) of the active membership in good standing of the association, the secretary shall announce a general meeting or ballot as indicated on the petition with fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership in good standing 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 in good standing of the association. Upon receipt of a petition signed by fifteen percent (15%) of the active membership in good standing 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 in good standing shall be required for its adoption, which shall take effect thirty (30) days later.
- C. Recall. The rights of recall shall rest with the electing body. Upon receipt of a petition signed by fifteen percent (15%) of the active membership in good standing of the electing body, the secretary shall announce a general meeting or ballot by the electing body as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership in good standing 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 governing body not subject to the petition.

#### **VI. Membership and fiscal year.**

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

#### **VII. Authority**

Any part of this Constitution and/or Bylaws that is in conflict with the MEA and/or NEA constitutions and/or bylaws will be declared null and void.

## VIII. Amendments

Amendments to this Constitution may be introduced by the membership by petition signed by fifteen percent (15%) of the total active membership in good standing and submitted to the secretary. Amendments to the Constitution may also be introduced by the governing body. These proposed amendments shall be acted upon at a subsequent meeting of the membership in good standing or by ballot within at least sixty (60) days of submission. A copy of the proposed amendment, together with the recommendations of the governing body, shall be sent to each member of the association in good standing at least fifteen (15) days prior to voting. A two-thirds (2/3) affirmative vote of the active membership in good standing voting is required to adopt the proposed amendment, which shall become effective immediately upon adoption unless otherwise provided.

## IX. Dissolution

In the event of dissolution of the association, any assets remaining, after the payment of all expenses, shall be distributed to its successor so long as the successor is affiliated with the Michigan Education Association or to the Michigan Education Association, a Michigan nonprofit corporation exempt from tax under Section 501(C)(5) of the Internal Revenue Code of 1986.

DATE AMENDED: April 20, 2015

DATE RATIFIED: April 29, 2015

(Dates must be listed on copy of the governance documents before submitted to MEA.)

# **Perry Education Association Bylaws**

## **I. Rules**

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

## **II. Meetings**

- A. General membership meetings shall be called by the president or governing body as needed. At least eighteen (18) hours notice is required, specifying date, time, place and purpose of such meetings.
- B. The governing body shall meet monthly during the school year or in accordance with the calendar adopted by the governing body. 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 in good standing and members in good standing shall be permitted to address meetings.
- D. Members of the Board of Directors that are absent from three consecutive regularly scheduled meetings, without cause, shall no longer be considered a member of the Board, and the position shall be declared vacant. Vacancies shall be filled to the end of the unexpired term by a vote of the Board of Directors. All association members will be eligible for the vacated position.

## **III. Quorum**

- A. The quorum for the general membership shall be ten percent (10%) of the total active membership in good standing.
- B. A quorum for the governing body membership meeting shall be at least two-thirds (2/3) of the elected members.

## **IV. Duties of officers, delegates, and committees**

- A. President: Preside over meetings, appoint members of committees subject to approval of the board of directors, serve as ex officio member of all committees, represent the association before the public, be executive officer of the association, submit annual budget for consideration and perform all other functions attributed to this office.
- B. Vice president: Preside in president's absence and perform duties as assigned by the president.

- C. Secretary: Keep accurate minutes of all meetings of association governing body, make minutes available for inspection, maintain official files and assist president with association correspondence.
- D. Treasurer: Deposit funds of association and disburse them according to decisions of governing body, maintain roll of members, keep accurate accounts of receipts and expenditures, report to each meeting of association and board of directors, prepare annual financial statement for membership, assist in drafting annual budget. The treasurer shall be bonded and the association shall provide for an annual audit of the books. (The MEA/NEA provides bonding insurance for local treasurers.)
- E. MEA Representative Assembly delegate: Keep association informed of actions by the MEA and issues to be presented to the Representative Assembly attend the MEA Representative Assembly and other appropriate meetings and report back to the association.
- F. NEA Representative Assembly delegate: Keep association informed of actions by the NEA and issues to be presented to the Representative Assembly, attend the NEA Representative Assembly and other appropriate meetings and report back to the association. (The president shall serve in this role.)
- G. Region council delegates: Keep association informed of actions by the region council and issues to be presented to the region council, attend the region council and other appropriate meetings and report back to the association. (The president and RA may also attend region council.)
- H. Standing committees for this organization shall be Professional Negotiations, Professional Rights and Responsibilities (PRR grievance), Public Relations, Political Action and Sick Leave Bank. The chairperson of the Professional Negotiations Committee shall be appointed by November 1, by the Board of Directors.

#### **V. Powers of governing body**

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

#### **VI. Association representatives**

- A. Association representatives are elected on the basis of one (1) AR for each fifteen (15) members in good standing or major fraction thereof, allowing each building at least one (1) association representative.

- B. Duties shall be to attend regular meetings of the governing body, call meetings of building membership in good standing to discuss association business, conduct enrollment of members and provide communication between members and governing body.
- C. Vacancy in the position of AR shall be filled by special election in the affected building.

#### ***VII. Nominations 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 in good standing, secret ballot, voting procedures and preservation of ballots for at least one (1) year. The preserved ballots shall be kept in the custody of the president.
- B. The governing body shall certify the elections committee report and publish results of the election. Official reports of elected representative assembly delegates shall be filed with the MEA within ten (10) days after the election.
- C. A vacancy in any of the positions shall be filled by the governing body until the next general election, except a vacancy in the position of MEA or NEA Representative Assembly delegate(s). An MEA or NEA Representative Assembly delegate(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.

#### **VIII. Contract ratification**

Contract ratification procedures shall minimally incorporate the following:

- A. Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for ratification vote.
  - 1. When the association is considering entering into a legal binding agreement with the board of education, the president and the chairperson of the professional negotiation committee is authorized to sign such an agreement on behalf of the membership upon completion of the following procedures:
    - i. Report and recommendation of the Board of Directors
    - ii. Report and recommendation of the negotiation committee
    - iii. Written digest of the proposed changes
    - iv. Discussion by the membership
    - v. A majority vote of the total membership
- B. A majority vote of those members voting shall be required for ratification.

- C. Only members in good standing may vote on ratification.

#### **IX. Dues**

- A. Dues of the association shall consist of the total amount of local, state and national dues.
- B. Local dues shall be established by a vote of the membership in good standing.
  - a. Local dues, established in 2006, are \$75.00 annually. Dues shall be paid according to the terms of the master agreement. Local dues will be deducted from three pay periods.
- C. Special assessments can only be voted by the membership in good standing.

#### **X. Amendments**

Amendments to these Bylaws may be introduced by the membership by petition signed by fifteen percent (15%) of the total active membership in good standing and submitted to the secretary. Amendments to the Bylaws may also be introduced by the governing body. These proposed amendments shall be acted upon at a subsequent meeting of the membership in good standing or by ballot within at least sixty (60) days of submission. A copy of the proposed amendment together with the recommendations of the governing body shall be sent to each member in good standing of the association at least fifteen (15) days prior to voting. A majority vote of the active membership voting is required to adopt the proposed amendment, which shall become effective immediately upon adoption unless otherwise provided.

#### **Appendix**

- A. The president of the Association shall have his/her MEA/NEA dues and local dues paid by the Association, along with receiving a stipend of \$300.00. In the event of not completing a year of office, this amount shall be prorated at the discretion of the Board of Directors.
- B. The chairperson of the professional negotiations committee shall have his/her MEA/NEA dues and local dues paid by the Association, along with receiving a stipend of \$200.00 and each member of the committee shall receive \$150.00 upon successful completion of negotiations. Upon successful completion of a multiyear contract, the chairperson and each committee member shall receive 50% of the single-year amount for each additional year.



C. The vice-president of the Association, secretary, treasurer, MEA Representative Assembly delegate, Region 8 delegate, SCEA (Shiawassee County Education Association Representative (4), Building Association Representative, Sick Bank Chair, shall each have his or her local Perry Education Association dues paid by the Association. In the event of a representative not completing a year of office, this amount shall be prorated at the discretion of the Board of Directors.

DATE RATIFIED: \_\_\_\_\_

DATE AMENDED: \_\_\_\_\_

(DATES MUST BE LISTED ON COPY OF THE GOVERNANCE DOCUMENTS BEFORE SUBMITTING TO MEA.)