

The Shiawassee County RESD
Education Association, MEA/NEA

Tentative
RES
Constitution
and
Bylaws

Hughes/Strobridge Proposed Revision April 2016
Last Revised - January 26, 2001
Current Revision - January 2020

CONSTITUTION

PREAMBLE

We, the certified professional personnel of the Shiawassee County Regional Education School District, believing that the professional staff must institute it's own self-government secure proper recognition and responsibility for the professional well-being of its members, do ordain and establish this Constitution.

ARTICLE I

Name

Section 1. The name of this organization shall be the "Shiawassee Regional Education Service District Education Association, MEA-NEA," a local -affiliated unit of the Michigan and National Education Associations. The Association shall be a non-profit corporation organized in accordance with the laws of Michigan.

ARTICLE II

Purpose

1. To work for the welfare of all persons subject to the various education provisions of the state of Michigan, the advancement of education, and the improvement of instructional and special education opportunities for all.
2. To develop and promote the adoption of such ethical practice, personnel policies, and standards or preparation and participation as marked by the education profession.
3. To unify and strengthen the education profession and to secure the salaries, other benefits, and working conditions necessary to support education as a profession.
4. To enable members to speak with a common voice in matters of policy pertaining to the education profession and to present their common interests before the

Shiawassee Regional Education Service District Board of Education and other legal authorities as provided by law.

5. To cooperate with professional associations and civic organizations having educational objectives and to aid in interpreting to the public the problems, functions, and progress of the Shiawassee Regional Education School District.
6. To encourage professional personnel to exercise their rights and privileges as citizens, and to accept willingly leadership in civil affairs.

ARTICLE III

Membership

1. All certificated professional persons employed by the Shiawassee Regional Education Service District and engaged in instruction and related special education services may, upon payment of dues as herein provided, become active members of this Association.
2. Active members of this organization shall also be members of the Michigan Education Association and the National Education Association.
3. 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.
4. 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.

ARTICLE IV

Officers, Board, and Delegate(s)

1. The officers of the Association shall consist of a President, a Vice-President (or two co-presidents instead of president and vice), a Secretary, a Treasurer, and a

delegate(s) to the MEA Representative Assembly provided said delegate(s) is a member of the Shiawassee County Regional Education Service District Association. An election shall be conducted each August/September at the general meeting to elect officers as follows: The office of President (Co-Presidents) and Treasurer shall be elected for a term of two (2) years, (held in odd number years). The offices of Vice-President, Secretary, and Representative Assembly Delegate(s) shall be elected for a term of two (2) years, (held in even number years). In the event that the Association elects Co-Presidents, the position of Vice-President will remain vacant during the term of Co-Presidency. All terms will begin on September 1 of the year elected.

2. The presidency of the association may be held by two co-president, or one president. Members choosing to run for the office as co-presidents must announce this at the time they announce their candidacy. Should either co-president be unable to fulfill her/his office, the position will be filled in accordance with Section 3 of the constitution or be completed by the remaining co-president at the discretion of the Board of Directors. Should any compensation be provided to holders of the office of the presidency, co-presidents will share such compensation equally.
3. Any reference to the president in the constitution or by-laws shall be understood to refer to both co-presidents if co-presidents hold the presidency, except that in votes of the Board of Directors, each co-president shall have one vote instead of one-half vote.
4. 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.
5. There shall be a governing body which shall consist of the officers and delegate(s) to the MEA Representative Assembly. 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 of the MEA and NEA, rules and

procedures shall be established for an at-large election to ensure proportionate ethnic minority representation.

6. MEA Representative Assembly delegates. The term of office for MEA Representative Assembly delegates and alternates shall be 2 years commencing on September 1 elections shall be held prior to June 1. When there are four (4) or more MEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1 -G Representative Assembly delegate shall serve as a Region Council delegate.
7. NEA Representative Assembly delegates. The term of office for NEA Representative Assembly delegates and alternates shall be 2 years commencing on 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 -1 G Representative Assembly delegate shall be elected as required by the MEA constitution and bylaws.
- Any additional Regional Council delegates. The term of office for any additional Region Council delegates shall be 2 years commencing August/September

ARTICLE V

Direct Legislation

1. *Initiative*. The rights of popular initiative shall rest with the active membership of the association. Upon receipt of a petition signed by at least 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.
2. *Referendum*. The rights of referendum shall rest with the active membership of the association. Upon receipt of a petition signed by at least 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.

3. *Recall.* The right of recall shall rest with the electing body. Upon receipt of a petition signed by at least 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 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. All elected officials including delegate(s) may only be recalled for just cause.
4. 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.

ARTICLE VI

Membership Year

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

ARTICLE VII

Amendments

1. Amendments to this Constitution may be introduced by a petition signed by 15% of the active membership or at any regular meeting of the Board of Directors and shall be acted upon at a subsequent meeting of the membership but not later than two subsequent regular meetings or by ballot within 30 days of introduction. A copy of the proposed amendment, together with the recommendation of the Board of Directors, shall be sent to each member of the Association on or before the Friday directly preceding the day of election. A two-thirds affirmative vote of the total active membership present at a properly called Association meeting is required to adopt the proposed amendment which shall become effective immediately upon adoption unless otherwise provided.

ARTICLE VIII

Authority

1. Any part of this local Constitution and/or Bylaws which is in conflict with the state and National Constitution and/or Bylaws will be declared null and void.

ARTICLE IX

Dissolution

1. Upon 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 RATIFIED: _____

DATE AMENDED: _____

BYLAWS

ARTICLE I

Rules

1. Roberts' Rules of Order, Latest Edition, shall be authority on all questions of procedure not specifically stated in the Constitution and Bylaws.

ARTICLE II

Meetings

■ General Membership Meetings: There shall be at least two general meetings; one in August/September and one in March of each year with the time and date of the meetings at the discretion of the Association Board of Directors. General membership meetings shall be called by the president or governing body as needed. At least 3 days notice is required, specifying date, time, place and purpose of such meetings■

Section A: Board of Directors and Executive Committee meetings will be held according to a schedule adopted by the respective bodies at their first regular meeting of the school year. The Presidents shall have the authority to call the first meeting.

Section B: Times for each meeting shall be set by the body involved with the exception of the General Membership whose meeting time shall be set by the president in consultation with the vice-president and/or Executive Committee.

2. Board of Directors: The Board of Directors shall determine the specific number, frequency, place, and time of its own meetings.
3. Except as specified in MEA Administrative Policies, meetings shall be open to all members in good standing and members shall be permitted to address meetings
4. Ratification Meeting: Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for ratification vote. When the Association is considering entering into a legal binding agreement with the Shiawassee County RESD School District Board of Education, the President, the Secretary of the Association and the chairperson of

the professional negotiating committee are authorized to sign such agreement on behalf of the membership upon completion of the following procedures:

- a. Distribution to the members of a written (paper or electronic) digest of the tentative proposed contract changed along with the recommendations of the Board of Directors and negotiating committee;
 - b. A Waiting period of not less than five (5) school days shall be given to afford the membership time to review and discuss the proposed changes; and
 - c. A special meeting of the membership shall be called to discuss and vote on the proposed contract, a simple majority of the total active membership in good standing will be required to ratify the contract. Signed absentee ballots will be allowed. (Exception of the above procedure shall be made when membership is on strike or a tentative agreement is reached during summer vacation.)
 - d. Only members in good standing may vote on ratification.
5. Membership of strike in which case the procedure shall be:
- a. A special meeting of the membership shall be called to present a written digest of the proposed contract changed along with the recommendations of the Board of Directors and negotiating committee;
 - b. A discussion among the membership; and
 - c. A simple majority of the total active membership in good standing will be required to ratify the contract.
 - d. Signed absentee ballots will be allowed.
6. Order of Business: will be in conformance with Roberts' Rules of Order, Latest Edition.
7. Meeting notification: The membership shall be notified in writing of all general and special meetings not less than five (5) working days prior to such meetings. The date, time, and business to be dealt with will be outlined on the notification announcement. Exceptions to this are as follows:
- a. Strike meetings;
 - b. Ratification meetings while on strike or during the summer; and
 - c. Meetings over issues deemed of emergency nature by the Board of Directors.
8. The President shall designate one person in each department or building to be responsible for disseminating all written and/or oral communication.

ARTICLE III

Quorum

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

ARTICLE IV

Duties of Officers

1. President: Preside over meetings of the Executive Committee and Board of Directors; appoint with approval of Board of Directors, the chairpersons and members of standing committees ex officio member of all standing committees except the nominating committee, represent the Association before the public, be executive officer of the Association and its Board of Directors, and perform all other functions attributed to this office. The President or his designee, who must be an officer, will represent the Association on the Board of Directors of the Shiawassee County Education Association and MEA Region Council. S/he shall be a member of the Coordinating Council. All correspondence sent to the President or the Association relating to the Master Agreement or negotiations shall be kept on file.
2. Immediate Past-President - The Immediate Past-President shall advise the Executive Committee and assist the President at the latter's request.
3. Vice-President: The Vice-President of the Association shall become President of the Association should the office of President become vacant. S/he shall preside in the President's absence, at all meetings over which the President normally presides. S/he shall work closely with one or more standing committees as the President may determine and shall assist in appointing committee members. S/he shall serve as parliamentarian at all Board and general membership meetings. S/he shall be the representative to Region, Coordinating Council, or other MEA groups as designated by the President. S/he shall develop and implement a Crisis Action Plan including an efficient fan-out and information

system and may become candidate for President at expiration of term as Vice-President.

4. Secretary: The Secretary shall keep accurate minutes of all meetings of the association governing body, make minutes available for inspection, maintain official files (including attendance, agendas and minutes of all meetings), and assist the President with Association correspondence.
5. Treasurer: The Treasurer shall hold funds of Association and disburse them according to decisions of the Board of Directors, maintain roll of members, keep accurate accounts of receipts and expenditures, report to each meeting of the Association and Board of Directors, prepare annual financial statement for publication to members as directed by the Executive Committee , keep President and Board of Directors informed of financial condition of Association, assist in drafting annual budget. The treasurer shall be bonded and the association shall provide for an annual audit of the books. S/he shall chair the Budget Committee in the initial drafting of the annual budget.
6. *MEA Representative Assembly delegates:* 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. The term of office for the MEA-RA delegates shall be two (2) years commencing on March 1 of the year of election.
7. *NEA representative assembly delegates:* 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 term of office of the NEA-RA Delegates shall be two (2) years commencing on March 1 of the year of election.
8. *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 term of office of the Regional Council Delegates shall be two (2) years commencing on March 1 of the year of election.

ARTICLE V

Powers of Board of Directors

1. Upon the board of directors shall rest the duties, responsibilities and final authority for 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.
2. The Board may provide information and recommendations to the general membership regarding tenure, ethics, and related personnel policies. The Board is responsible for administering professional grievance procedures.
3. The Board shall provide continuing information to the membership, maintain relations with the general public, submit recommendations to the general membership.
4. The Board may obtain information related to economic questions and submit related recommendations to the general membership.
5. The Board shall review, study, and analyze present and proposed changes in current practices and submit observations and recommendations to the general membership.
6. The Board shall be responsible for studying state and federal legislation and maintaining a close relationship with current and pending legislation and submit recommendations to the general membership.
7. The Board shall review, and analyze the present agreement between the Association and the board of education. They shall further make recommendations to the general membership and negotiate prepared changes in agreement as directed by the general membership.

ARTICLE VI

Committees

1. Standing committees shall be organized where there is an ongoing program of the Association. chairperson shall be appointed by the president subject to the approval of the Board of directors.
2. The president shall be authorized to appoint such special committees as the Board of Directors or the general membership deem advisable.

ARTICLE VII

Nominations and Elections

1. 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 (paper or electronic through MEA) which would include secret ballot, voting procedures and preservation of ballots for at least one (1) year. The preserved ballots if applicable shall be kept in the custody of the president.

The membership and elections chair shall publish and distribute at the March Board of Directors meeting each year a list of the elective offices that will be up for elections.

Nominations:

Nomination of elective office shall take place from the March Board of Directors meeting to the date of the April Board of Directors meeting. MEA RA delegates must be elected by March 1.

Members nominating or wishing to be nominated for office must be members in good standing of the Association.

The Membership and Election Committee chair shall report all nominations To the Board of Directors at the April meeting.

Members of the Board of Directors may nominate other candidates from the floor.

The Membership and Elections Committee chair shall publish to the members, brief information on each candidate.

Balloting

1. Members shall vote for Officers by secret ballot using either paper ballots or online election conducted by the MEA as determined by the SIEA Board of Directors in accordance with procedures developed by the Committee on Elections and approved by the Board of Directors. The Committee on Elections shall report results to the President who shall cause them to be published.
 2. Every member in good standing of the Association shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.
 3. Following the election, the membership and elections chair shall file an official report of the election with MEA within ten days after the election.
 4. A vacancy in any elected position shall be filled by appointment of the Executive Committee until the next election, except for a vacancy occurring in the position of MEA or NEA Delegate. An MEA or NEA Delegate shall be replaced by the duly elected alternates.
- 2.
3. The governing body 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.
 4. 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). A MEA or NEA Representative Assembly delegates(s) shall be replaced by the duly elected alternate(s).

ARTICLE VIII

Dues

1. Dues of the Association shall consist of the total amount of local, state and national dues. Dues of the Association shall be established by vote of the membership in good standing. Special assessments shall be provided as approved by the membership in good standing.

ARTICLE IX

Amendments

1. Amendments to these Bylaws may be introduced by the membership by petition signed by fifteen percent (15%) of the total active membership 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 or by ballot (paper or electronic through MEA which would include absentee ballots) 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 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.

ARTICLE X

Minority Representation

1. The Association shall provide for minority representation in all phases of governance.

ARTICLE XI

Reopening Master Agreement

1. Upon receipt of a petition signed by 25% of the active membership of the Association, the President shall call a special meeting of the membership to

discuss and vote on reopening the Master Agreement. The petition must state the specific articles and provisions the petitioners are requested be opened. A three-fourths ($\frac{3}{4}$) affirmative vote of the total active membership is required to open those specific articles and provisions of the Master Agreement.

ARTICLE XII

Compensation for Officers

1. Compensation for officers of the association will be provided upon completing their terms of office. If an eligible officer is unable to complete her/his term of office, at the discretion of the executive board (the Board of Directors) that officer will receive prorated compensation, unless removed per ARTICLE IV Section 3. The person appointed or elected to replace the departing officer shall receive, prorated compensation for the remainder of the term of office. The following officers will be eligible for compensation at the following rates:

President*	\$700
Co-President (2)*	\$400
Vice President	\$250
Secretary	\$250
Treasurer	\$250
Assistant Treasurer	\$150
Grievance Officer	\$250
MEA Representative Assembly	\$250 and mileage to MEA RA meetings
School Board Meeting Representative (min. 7 meetings)	\$150

*Either one president or 2 co-presidents will be serving at any given time.

ARTICLE XIII Negotiations Structure

Section 1: The Executive Committee shall appoint the Negotiations Team which shall consist of a minimum of three members. The Executive Committee shall take applications, interview, and select the Team. Interviews will take place in October and appointments shall be made in November. The Board of Directors must approve these appointments. If the Association enters into early bargaining, the Executive Committee may change the interview and appointment date as necessary.

Section 2: The President after consultation with the Team shall appoint within 30 days a Negotiations Chairperson from the members that have been selected by the Executive Committee. The Negotiations Team and the President shall determine the bargaining process strategy.

Section 3: The Negotiations Team shall be responsible to the Executive Committee for supervision and evaluation. The President or his/her designee shall be present at all negotiation sessions. The President is responsible for reporting supervision and evaluation to the Executive Committee.

Section 4: All working agreements relating to the current Master Agreement will be reported to the Executive Committee and subsequently to the membership for ratification. Negotiations Chairperson will be responsible for maintaining a continuing and current file of working agreements.

Section 5: The Executive Committee shall supervise the Public Relations Committee in its assistance to the Negotiations Team. The Public Relations Committee shall be responsible to the Executive Committee in negotiations matters and may assist the Negotiations Team in public relations regarding negotiations and shall work with the Vice-President on the Crisis Action Committee.

Section 6: The Vice-President shall have general responsibility for contract improvement and shall advise the Contract Improvement Committee and Chairperson in their work.

Section 7: The Contract Improvement Committee shall survey the membership regarding the Master Agreement, tally results, and provide to the Negotiations Team by December 15.

Section 8: The UniServ Director shall function in a research and advisory capacity to the Executive Committee, President, Past-President, and Vice-President.

Section 9: The Negotiations Team shall have the authority to present proposals, receive counter proposals, make compromises, and to accept or reject positions of the Board. The Master Agreement shall be ratified only by the general membership by secret ballot election or online election by a simple majority of those members in good standing voting. Working agreements shall be ratified by the general membership.

Section 10: The Negotiations Team shall do the actual negotiations. Two members of the Team must be present to negotiate with the Board.

Section 11: All tentative agreements shall be submitted to the UniServ Director or MEA attorney for review before they are presented to the membership for ratification.

Section 12: The Executive Committee shall establish a Crisis Action Committee co-chaired by the President and Vice-President or CoPresidents to deal with problems and strategy during a negotiations crisis.

Section 13: The President, Negotiations Team, and Grievance Chairperson will meet with the Board of Education and Administration to resolve difficulties when necessary.