

THE
"CONSTITUTION"
OF
MARANA
EDUCATION
SUPPORT
PROFESSIONALS

Approved by AEA: 4/12/05

CONSTITUTION

(As Amended October 26, 2004)

ARTICLE I - NAME

The name of the Association shall be Marana Education Support Professionals.

ARTICLE II - AFFILIATION

The Association shall affiliate with the Arizona Education Association and the National Education Association under the standards of affiliation.

ARTICLE III - PURPOSES

Section 1: To unify and strengthen school support personnel (classified/non-certified employees) so as to enable members to speak with a common voice on all matters of mutual concern and to represent individual and common interests of members before the Governing Board, Administration and other legal authorities.

Section 2: To promote the general welfare of the school district, to advance standards and to establish and maintain good community relations.

Section 3: To develop and promote a continuing program to secure and maintain better benefits, uniform practices, sound retirement systems and improvements in terms and condition of employment.

ARTICLE IV - MEMBERSHIP

Section 1: Membership in the Association shall be open to all persons employed as school support personnel (classified/non-certified employees) in the Marana School District.

Section 2: Membership shall be continuous until the member leaves the school district, resigns by signed letter to local President by September 1st, fails to pay membership dues, or is terminated by Executive Board.

Section 3: Members of the Association shall also be members of the Arizona Education Association and members of the National Education Association.

Section 4: Active members upon retirement may continue to enjoy all rights and privileges of active members except the right to vote and the right to be elected to office, by payment of the annual dues as a retired member.

- Section 5:**
- a) Every member shall have the equal rights and privileges within the organization to nominate and be nominated as candidates for office; to vote in elections or on referenda of the Association; to attend membership meetings; to participate in the deliberations and voting upon the business of such general membership meetings.
 - b) No member shall be fined, suspended, or otherwise disciplined, without notice and due process except for nonpayment of dues, which will result in suspension of membership.

Section 6: The membership year shall be consistent with the Arizona and National Education Association.

ARTICLE V – OFFICERS

Section 1: The officers of this Association shall consist of a president, a vice-president, the immediate past president, a secretary and a treasurer.

Section 2: The officers shall be elected by May 15th of current school year.

Section 3: In the event of the resignation or disqualification of any elected member of the Executive Committee or the representative council, other than the president or vice-president, the office may remain vacant until the next regular election, or a special election shall be held within 30 days of such resignation or disqualification. The elected member shall serve out the balance of the unexpired term of office.

Section 4: In the event of vacancy of the office of the president, the vice-president shall complete the remaining term as president until the next annual election.

Section 5: Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their office. Where an officer is charged with misconduct or nonperformance, such officer, may be removed by notification and due process.

- a) Recommendation for recall can be made by submission of a petition containing the signatures of 51% of the Executive Council.
- b) The Executive Council shall notify in writing any officer who has been recommended for recall.
- c) Any officer may appeal in writing to the Executive Council.
- d) An election shall be called within 30 days of receipt of the petition to recall. The recalled officer shall, if she/he desires, be placed on the ballot along with any other nominated candidates.
- e) The Executive Council shall schedule hearings to review the recommendations of recall of an officer.
- f) The report of those hearings shall be made available to the membership.
- g) A general membership meeting shall be called two weeks after the issuance of the report.

- h) Such recall shall be determined by a majority vote of the membership in attendance of said meeting.

Section 6: Term of office for an officer will be limited to two consecutive terms, of two years each, in the same office.

ARTICLE VI - QUORUM

Section 1: A majority of the Executive Council members shall constitute a quorum for the Executive Council Meeting.

Section 2: The members present shall constitute a quorum for the Monthly Membership Meetings.

ARTICLE VII - POWERS AND DUTIES OF THE OFFICERS

Section 1: **President** - The President shall:

- a) Preside over all meetings of the Executive Council, Monthly Meetings or Special Meetings.
- b) Appoint, with the approval of the Executive Council, the Chairperson and members of all Standing and Special Committees.
- c) Be ex-officio member of all committees.
- d) With the Treasurer, sign all orders drawn upon the Treasury for which a voucher has been submitted.
- e) Represent the Association before the public either personally or through a designated representative.
- f) Perform all other functions usually attributed to the office.
- g) When a member is elected President, that President, is automatically elected a delegate to AEA's Delegate Assembly.

Section 2: **Vice-President** - The Vice-President shall:

- a) Assume all duties of the President in his/her absence and work closely with one or more Standing Committees as the President may suggest.
- b) Become President whenever the Presidency becomes vacant as provided in Article V, Section 4 of the Constitution.
- c) Be an ex-officio member of the committees of the President's choice.

Section 3: **Immediate Past-President** - The Immediate Past President shall:

- a) Advise the Executive Council.
- b) Assist the President at the President's request.

Section 4: **Secretary** - The Secretary shall:

- a) Be responsible for handling all correspondence for the Association.
- b) Notify the appropriate members as to the time and place of the Executive Council and Monthly Membership Meetings.
- c) Keep accurate minutes of all Executive Council, Monthly and Special Meetings.

- d) Maintain the official files.
- e) Keep an accurate record of all members.
- f) Distribute copies of all proposed amendments to the Constitution as prescribed in Article IX of the Constitution.

Section 5: Treasurer - The Treasurer shall:

- a) Be responsible for the funds of the Association.
- b) Disburse funds accordingly upon submission of vouchers approved by a majority of elected officers.
- c) Sign all checks, along with the President.
- d) Furnish a written report at each meeting of the Executive Council and Monthly Membership Meeting.
- e) Prepare an annual financial statement which shall be distributed to all members.
- f) File the appropriate Federal and State Forms.
- g) Keep the President and the Executive Council informed of the financial condition of the Association.
- h) Serve on the budget committee.
- i) Be bonded for such amount as may be determined by the Executive Council.

ARTICLE VIII - EXECUTIVE COUNCIL

Section 1: The Executive Council shall consist of the officers of the Association and one representative elected at large from each school, maintenance, administration office and transportation personnel. In addition, one person shall be elected to the Executive Council for each 10 members or major fraction thereof from each site.

Section 2: In each building/unit in Marana School District, those persons who are members of this Association shall elect one representative to the Executive Council for every 10 members or major fraction thereof.

Section 3: Any member of the Association who is not a member of the Executive Council may attend its meetings and may receive permission to speak under new business or with the consent of the majority of those Executive Council Members present.

Section 4: The Association shall guarantee ethnic minority representation on the Executive Council, at least proportionate to its active ethnic minority membership.

Section 5: The **Duties of the Executive Council** shall:

- a) Be responsible for the management of the Association.
- b) Authorize all expenditures within the limits of the budget.
- c) By a majority vote, authorize the spending of money for non-budgeted items.
- d) Establish such Standing and Special Committees as may be necessary.
- e) Set the agenda for all General Membership Meetings.
- f) Act on reports of committees.
- g) Adopt rules for governing the conduct of meetings as are consistent with this Constitution.

- h) Approve the budget.
- i) Set the dues for the Association.
- j) Adopt the procedures as specified by this Constitution.
- k) Have the power to determine policy of the Association dealing with the administration of the Association not defined in this Constitution.

ARTICLE IX - ELECTIONS

Section 1: Nomination

- a) The President shall appoint, at the February Meeting, an Elections Committee with the approval of the Executive Council. The Elections Committee shall uniformly inform all members of upcoming elections, vacant elective positions, provide nomination forms and establish timelines for nominations and elections. The Elections Committee shall present all nominations to the general membership in a uniform manner. Any member of the association may nominate candidates.
- b) The Elections Committee shall report the results to the Executive Council by April 1st.

Section 2: Voting

- a) Procedures developed by the Elections Committee and approved by the Executive Council will be used for voting.
- b) Elections should be by secret ballot. Ballots will be mailed to current members.
- c) The Elections Committee shall report the results to the President, who shall cause them to be published.
- d) Results of the election of officers shall be reported immediately to AEA and NEA by the Secretary of the Association.
- e) Site leaders shall be elected by Sept. 1st.

Section 3: Installation

New officers shall be installed at an installation ceremony prior to the ending of the school year. The term of office shall be from July 1st through June 30th of the second year.

ARTICLE X - COMMITTEES

Section 1: Structure

There shall be Standing Committees carrying the specific functions listed below.

Section 2: Appointment

The President, with the advice and consent of the Executive Council, shall appoint the Standing Committees.

Section 3: Meetings

Each Standing Committee shall meet according to a calendar developed by their committee.

Section 4: Reports

Each committee shall select a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Executive Council, the general membership and shall prepare an annual record for the Association files.

Section 5: Committee Title and Duties

- a) The **Negotiations Committee** shall survey the members and prepare a proposed package to be negotiated with the Governing Board by the Association's Negotiating Team in all areas of member welfare and general working conditions.
- b) The **Rights and Responsibilities Committee** shall explore and prepare programs for securing satisfactory policies and procedures for the redress of grievances. It shall advise the Executive Council in situations involving the defense of individual rights.
- c) The **Membership Committee** shall organize and conduct membership enrollment. Its members shall attempt to enroll cash members and former non-members enrolled for the current school year. It shall communicate with members on Automatic Payroll Deduction to return by direct mail any corrections in their status or address after receiving their annual membership cards in the mail.
- d) The **Social Committee** shall organize such social activities as may serve the needs of members to promote fellowship within the Association.
- e) The **Legislative/Political Action Committee** shall have broad concern for state and national legislation affecting the interest of the Association. It shall inform members about newly proposed and enacted legislation related to their welfare; promote activities leading to the passage of desirable legislation; encourage members to exercise their responsibility to vote and their right to participate in political activity.
- f) The **Budget Committee** shall propose to the Executive Council for action a budget for the Association each year. Members of the Budget Committee shall have full and complete access to all financial and other records of the Association pertinent to the preparation of the annual report.

ARTICLE XI - MEETINGS

Section 1: **Executive Council** shall meet at least 4 times a year at the call of the President or at the request of a majority of the members of the Executive Council.

Section 2: General Membership Monthly Meetings

- a) The Executive Council shall arrange at least one *General Membership Meeting* per month.
- b) *Special Meetings* may be called by the President, or upon written request of 20% of the members for a specific purpose; but no business other than that for which the meeting is called may be transacted. No *Special Meeting* shall be conducted without one week's prior notice.
- c) The Executive Council shall prepare the agenda for *General Membership Meetings*. Written notice shall be provided to each member stating the time and place of the meeting.

Section 3: Contract Ratification

When an agreement has been reached, the bargaining team shall submit it to the Executive Council for consideration. The Executive Council shall recommend action to the membership, either for or against ratification. A majority vote of those members voting shall be required to ratify or approve the agreement. The agreement must be accepted or rejected as a whole.

Section 4: The Order of Business at any regular General Membership Meeting shall be as follows:

- a) Call to Order
- b) Approval of Minutes
- c) Correspondence
- d) Report of Treasurer
- e) Reports of Standing Committees
- f) Reports of Special Committees
- g) Old Business
- h) New Business
- i) Adjournment

ARTICLE XII - AMENDMENTS

Section 1: Amendments to this Constitution may be made by a two-thirds majority of the active members of the Association voting in a regular or special election called for this purpose, provided that:

- a) The amendments have been submitted in writing to the Secretary of the Association.
- b) The Secretary of the Association has distributed copies of the amendment to the members of the Executive Council.
- c) The Executive Council, by a majority vote, proposes to recommend said amendments to the general membership.
- d) The Secretary of the Association has posted copies of the proposed amendments, meeting date and the time at each building/unit at least two (2) weeks prior to the General Meeting.

ARTICLE XIII - FISCAL YEAR

The fiscal year of the Association shall begin July 1st and end June 30th.

ARTICLE XIV - AUTHORITY

Robert Rules of Order, Newly Revised shall be the parliamentary authority for the Association on all questions not covered by the Constitution and by-laws and such standing rules as the Executive Council may adopt.

ARTICLE XV - TERMS OF OFFICE

The term of office for officers shall be for two years beginning with the 1999-00 school year.