

DESOTO COUNTY EDUCATORS ASSOCIATION

CONSTITUTION AND BYLAWS

Revised: 10/10/2016

DESOTO COUNTY EDUCATORS ASSOCIATION
affiliated with
FEA, AFT, NEA, AFL-CIO

CONSTITUTION OF THE DESOTO COUNTY EDUCATORS ASSOCIATION

ARTICLE I - NAME

The name of this association shall be the DeSoto County Educators Association.

ARTICLE II - PURPOSES

Section 1. To work for the continuous improvement of instruction in Desoto County toward the end that every child obtains the best education this community can offer him.

Section 2. To encourage by every means possible the adoption of such ethical practices, personnel policies, and standards of preparation and participation as necessary to assure a professional staff which can provide the highest possible quality of instruction and services.

Section 3. To achieve improvement of the wages, hours and working conditions for educational employees through the legislative and collective bargaining process.

Section 4. To enable members to speak with a common voice on matters pertaining to the educational employees and to present their individual and common interests before the Board of Public Instruction, the community and appropriate legal authorities.

Section 5. To work to obtain and protect for all educational employees the civil and human rights to which they are entitled in a free society.

Section 6. To develop in the profession and with the public a better understanding of the issues and objectives in the area of the rights of educational employees.

Section 7. To encourage and promote educational employee involvement in community affairs.

Section 8. To promote mutual assistance and cooperation among all labor organizations.

Section 9. To hold property and funds, as a single organization or in concert with similar organizations, in order to employ a staff for the attainment of these objectives.

ARTICLE III - MEMBERSHIP

Section 1. Active Members

- A. Any employee of the District School System of DeSoto County who is not primarily engaged in administration and/or supervisory duties and who would normally be included in a PERC recognized instructional or non-instructional employees' bargaining unit, who subscribes to the objectives of the organization, and who makes appropriate payment of annual dues, shall be an active member of the DeSoto County Educators Association.
- B. Active Membership shall be continuous until the member leaves the school system, submits a written resignation, fails to pay membership dues, or has his/her membership revoked.
- C. Active members of the DeSoto County Educators Association shall also be members of affiliated state and/or national organization(s).

Section 2. Retired Members: Any person who has been an active member of the association may, upon request, convert to a retired or reserve membership, whichever applies, whenever his/her employment status (retirement, severance or leave of absence) does not qualify him/her for active membership. Retired and reserve members shall not be entitled to vote or hold office. They shall receive services as authorized by the Executive Board.

Section 3. Membership and all rights and privileges in the DeSoto County Educators Association shall not be denied because of race, sex, religious faith or political activities or beliefs.

Section 4. Interpretation of Article III shall be the responsibility of the Executive Board subject to the approval of the Representative Council.

ARTICLE IV - OFFICERS

Section 1. The following officers shall be elected for a term of two (2) years and shall constitute the Executive Board of the DeSoto County Educators Association:

- A. President
- B. Vice President of Instructional Employee Members (Teachers)
- C. Vice President of Non-Instructional Employee Members (Educational Staff Professionals)
- D. Secretary
- E. Treasurer
- F. Chairperson of each established committee shall sit as a member at large each chairperson shall be elected in accordance with Article X of the Bylaws.

Section 2. Active membership in good standing for at least one (1) year shall be required to hold office except for the office of Vice President of Non-Instructional members and then, only for the first election following this revision of the Constitution.

ARTICLE V - GOVERNANCE STRUCTURE

Section 1. The Representative Council: The organization shall be governed by elected representatives of the membership known as the Representative Council, subject to the provisions of this Constitution and its Bylaws. The Council shall formulate the policies of the organization and it shall have the power to adopt, amend, or rescind. actions of the Executive Board. It shall be the sole judge of the qualifications of its members, including the power to remove same from the Council for neglect of duties; be the final arbitrator in all disputed elections and interpretations of this Constitution and its Bylaws and approve the annual goals and budget of the DeSoto County Educators Association.

Section 2. The Executive Board shall:

- A. Execute the policies of the organization in between Representative Council Meetings
- B. Consider all matters of concern to the organization.
- C. Report all recommendations and actions to the Representative Council.
- D. Approve all personnel contracts and retainers.
- E. And, determine the time and place of its meetings.

Section 3. Any member of the Association may attend meetings of the Representative Council or Executive Board except during executive sessions.

ARTICLE VI - VACANCIES

Section 1. The Executive Board shall determine when a vacancy exists in an elective or appointive position.

Section 2. Whenever the office of President shall become vacant, a coin flip facilitated by the organization's Secretary shall determine which Vice President will succeed to the office of President.

Section 3. Whenever an office other than President shall become vacant during that officer's first year of his term, the Association shall elect a replacement to fill the unexpired term.

Section 4. Whenever an office other than President shall become vacant during that officer's second year of his term, the Representative Council shall elect a replacement to fill the unexpired term.

Section 5. Whenever the offices of both President and both Vice-President shall become vacant for any reason at the same time, the order of succession to the Presidency shall be: Treasurer, Secretary, Member at Large with the most seniority.

Section 6. Whenever a vacancy occurs on the Representative Council, the members in the school, work site, or center concerned shall fill the vacancy.

ARTICLE VII - QUORUM

Section 1. Membership

One-tenth (1/10) of the active membership shall constitute a quorum at meetings of the membership.

Section 2. Representative Council

A quorum of the Representative Council shall consist of a majority of the Representatives.

Section 3. Executive Board

A majority of its members shall constitute a quorum of the Executive Board.

ARTICLE VIII - INITIATIVE AND REFERENDUM

Section 1. Ten percent (10%) of the active members may initiate a proposition or may demand a referendum of any action of the Representative Council. The Executive Board shall submit same to the entire membership within thirty (30) days following certification thereof. The Executive Board shall take no more than two (2) weeks to certify the signatories.

Section 2. Recall shall be in accordance with the provisions of Robert's Rules of Order, newly revised.

ARTICLE IX - AFFILIATION

The DeSoto County Educators Association shall affiliate with such regional, state, or national organizations or associations as recommended by the Representative Council to best meet the needs of the membership and the objectives of the organization.

ARTICLE X - AMENDMENTS

Section 1. Amendments may be proposed by ten percent (10%) of the active members, a majority of the Representative Council or by two-thirds (2/3) of the Executive Board.

Section 2. This constitution may be amended by two thirds (2/3) vote of the active members voting by direct mail ballot, provided that at least one-third (1/3) of the active members shall have cast ballots, and that notice, in writing of the proposed amendment shall have been read at a meeting of the Representative Council at least thirty (30) days before it is to be acted upon, in accordance with provisions of Section 3 of this Article.

Section 3. Any adopted amendment(s) shall become effective immediately upon ratification unless otherwise specified in the amendment.

ARTICLE XI - ELECTION

Section 1. Election of officers and representative delegates and delegates to state or national assembly, as well as referendums, shall be by secret ballot.

BYLAWS OF THE DESOTO COUNTY EDUCATORS ASSOCIATION

ARTICLE I - PARLIAMENTARY AUTHORITY

Robert's Rules of Order, newly revised, shall be the authority on all questions or procedures not specifically stated in this Constitution and its Bylaws.

ARTICLE II - MEETINGS

Section 1. Executive Board: The Executive Board shall meet at least once each school month and may meet at the call of the President or at the request of any member of the Board.

Section 2. Representative Council: The Representative Council shall meet once each school month. The President shall prepare the agenda for each meeting and shall circulate it to all members of the Council so that representatives have time to discuss it with their faculty members in advance of the Council meeting. Any member of the Association may request that an item be added to the agenda by contacting the President prior to meetings.

Section 3. Special Meetings: Special meetings of the Representative Council may be held at the call of the President or upon written request to the Executive Board from four (4) representative council members. Business to come before special meetings must be stated in the call, which shall be sent in writing to each representative.

Section 4. General Membership Meetings: The Executive Board shall arrange at least one meeting of the members each year for discussion of professional issues.

ARTICLE III- QUORUM

A quorum for the Representative Council and Executive Board and committees shall consist of a majority of each respective group.

ARTICLE IV - POWER OF OFFICERS

Section 1. President: The President shall preside over meetings of the Executive Board and the Representative Council, appoint the chairmen and members of the Task Forces and Ad Hoc Committees with the approval of the Executive Board, be an exofficio member of all standing committees, and shall be the executive officer of the Association. He shall be responsible for seeing that all officers, boards, councils, committees and individuals perform their duties. The President shall represent the Association before the public, either personally or through delegates, and shall perform other functions usually attributed to this office.

Section 2. Vice Presidents: The Vice President shall perform the functions attributed to the office. They shall work closely with one or more standing committees as the President may suggest.

Section 3. Secretary: The Secretary shall keep accurate minutes of all meetings of the Executive Board and the Representative Council, shall maintain official files, and shall assist the President with Association correspondence.

Section 4. Treasurer: The Treasurer shall hold the funds of the Association and disburse them upon authorization of the Executive Board. The Treasurer shall bill the members not on payroll deduction for their annual dues, collect them and transmit amounts due to the appropriate affiliate organizations. The Treasurer shall maintain a roll of the members. The Treasurer shall keep accurate accounts of receipts and disbursements, shall report to each meeting of the Representative Council, and shall prepare an annual financial statement for publication to members as directed by the Executive Board. The Treasurer shall keep the President and Executive Board informed of the financial condition of the Association. The Treasurer together with the President shall sign all checks of the Association.

Section 5. Members at Large of the Executive Board: The Members-at-Large shall advise and assist the President; assist in promoting membership in the DeSoto County Educators Association; serve as chairpersons or consultants to committees upon assignment of the President; and perform such other duties as they may be assigned.

Section 6. Other Officer Responsibilities: The Officers also shall advise and assist the President; assist in promoting membership in the DeSoto County Educators Association; serve as chairmen or consultants to committees upon assignment of the President and perform such other duties as they may be assigned.

Section 7. Terms and Succession: All incumbents shall be eligible to succeed themselves. They also shall be eligible to hold any other office upon completion of the present terms

ARTICLE V - POWERS OF THE EXECUTIVE BOARD

Section 1. The Executive Board shall be responsible for the management of the Association, approve appointments of standing committee chairmen and members, approve all expenditures, carry out policies established by the Representative Council, report its transactions & those of the Council to the members, and suggest policies for consideration by the Council.

Section 2. The Executive Board shall represent the Association in negotiating personnel policies with the governing and appropriating bodies of the school system. Within policies established by the Representative Council it may make decisions binding the Association in these matters. The Board may delegate its power to negotiate to another committee or representative.

ARTICLE VI - POWERS OF THE REPRESENTATIVE COUNCIL

Section 1. The Representative Council shall approve the budget, set the dues of the Association, act on reports of committees, approve resolutions and other policy statements, and shall adopt procedures for implementing the Code of Ethics of the Education Profession and those to be followed in censuring, suspending, and expelling members for cause or for reinstating members. It may adopt such rules governing the conduct of the Association, and the conduct of meetings as are consistent with this Constitution and Bylaws. It shall be the final judge of the qualifications and election of officers and faculty representatives.

Section 2. A referendum shall be held on any issue when requested by ten percent (10%) of the membership.

Section 3. Powers not delegated to the Executive Board shall be vested in the Representative Council.

ARTICLE VII - FACULTY AND WORKSITE REPRESENTATIVES

Section 1.

Subsection a. In each public school in DeSoto County, instructional staff members who are members in good standing of this association shall elect for a term of two years one faculty representative to the Representative Council for each 10 members or major fraction thereof There shall be at least one such representative from each school. Where more than one such representative is elected, one shall be designated by the faculty as the senior faculty representative and the terms shall be staggered.

Subsection b. In each public school or separate worksite, e.g. the transportation center, in DeSoto County, non-instructional employees who are members in good standing of this association shall elect for a term of two years one worksite representative to the Representative Council for each 10 members or major fraction thereof in that school or assigned to that worksite. There shall be at least one such representative from each school and worksite. Where more than one such representative is elected, one shall be designated by the school or worksite's non-instructional employees' members the senior worksite representative and the terms shall be staggered.

Section 2. Faculty and worksite representatives or their authorized proxy shall attend the regular meeting of the Representative Council unless they render prior excuses to the President.

Section 3. The faculty and worksite representatives, with the senior faculty and worksite representative as chairman, shall call member meetings of the association members to discuss Association business and, when requested, shall report member decisions. They shall appoint such faculty and worksite committees as the Association may require, and shall organize and oversee the subsequent elections of faculty and worksite representatives, the enrollment of members in the association, and shall provide opportunity for two-way communication within the school.

ARTICLE VIII - COMMITTEES

Section 1. Task Force Committees: Task Force Committees are appointed by the President. Such appointments shall be subject to Executive Board approval. Task Force Committees shall be appointed to work in the areas of: legislation/political action, teacher and employee rights, economic services, internal affairs, collective bargaining, and such other areas of concern deemed appropriate to the goals and objectives of the organization.

Section 2. Ad Hoc Committees: Ad Hoc Committees may be established by the Representative Council or by the Executive Board for the purpose of accomplishing a specific task within a limited period of time. Ad Hoc Committees so established shall be appointed by the President, subject to Executive Board approval.

Section 3. The committees shall advise the Representative Council and Executive Board upon matters within their respective competence.

Section 4. Chairpersons of Task Force Committees shall be ex-officio members of the Executive Board without voting privileges, unless they have been elected as an Executive Board member.