

BRIGHTON EDUCATION ASSOCIATION

CONSTITUTION

PREAMBLE

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

ARTICLE I: NAME

The name of this organization shall be Brighton Education Association, an affiliated unit of the Michigan and National Education Associations. The Brighton Education Association, shall be a non-profit corporation organized in accordance with the laws of Michigan.

ARTICLE II: OBJECTIVES

The objectives of this Brighton Education Association, shall be the improvement of the quality of education, the advancement of the professional and economic interests of education and of educators, and the promotion of the professional growth of its members.

ARTICLE III: MEMBERSHIP

SECTION 1. All non-supervisory Brighton School District employees who meet the active membership requirements of the Michigan Education Association, may, upon payment of dues as herein provided, become active members of Brighton Education Association, with full rights and privileges of membership. An active member is one who is currently employed by the Brighton School District. An active member is one who is not on a leave of absence of any kind.

SECTION 2. Active members of this organization shall also be members of the Michigan Education Association and the National Education Association.

SECTION 3. No member shall be censured, suspended or expelled without a hearing. The hearing shall be conducted by the Board of Directors. A two-thirds vote by the Board of Directors will be required to take action against a member.

ARTICLE IV: GOVERNANCE

SECTION 1. The Officers of the organization shall consist of a President, Vice-Presidents (one Vice-President shall be appointed from each level), Vice-President Elect (elected by general membership from the appointed Vice-Presidents at each level), Secretary, Treasurer, Delegates to the Michigan Education Association Representative Assembly, and delegates to the National Education Association Representative Assembly. Appointed officers shall consist of committee chairpersons. Terms of office shall be for one year and shall commence on the first regularly scheduled Board of Directors meeting of the membership year. The terms of office for Representative Assembly Delegates shall be for two years and commence on September 1.

SECTION 2. There shall be an advisory body known as the Executive Board which shall consist of the elected and appointed officers.

SECTION 3. There shall be a governing body known as the Board of Directors which shall consist of the elected and appointed officers and the building representatives.

ARTICLE V: DIRECT LEGISLATION

SECTION 1. Initiative and Referendum

The rights of the popular initiative and referendum shall rest with the active membership of Brighton Education Association. Upon receipt of the petition signed by 35% of the active membership of the Brighton Education Association, the secretary shall announce a general meeting or ballot as indicated on the petition within 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 30 days later.

SECTION 2. Recall

The right of recall shall rest with the electing body. Upon receipt of a petition signed by 35% 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 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 30 days later.

ARTICLE VI: FISCAL YEAR

The fiscal year shall be September 1ST through April 31ST.

ARTICLE VII: AUTHORITY

Any part of this Constitution and or Bylaws which is in conflict with the Michigan Education Association and/or National Education Association Constitution and/or Bylaws will be declared null and void.

ARTICLE VIII: AMENDMENTS

SECTION 1. Amendments to this Constitution may be introduced by the membership by a petition signed by 35% of the total active membership and submitted to the secretary.

SECTION 2. Amendments to this Constitution may also be introduced by the Board of Directors.

SECTION 3. These proposed amendments shall be acted upon at a subsequent meeting of the membership or by ballot within at least 30 days of submission.

SECTION 4. A copy of the proposed amendment, together with the recommendations of the Board of Directors, shall be sent to each member of the Brighton Education Association, at least 15 days prior to voting.

SECTION 5. A two-thirds affirmative vote of the active membership voting is required to adopt the proposed amendment which shall become effective immediately upon adoption unless otherwise provided.

BRIGHTON EDUCATION ASSOCIATION

BYLAWS

ARTICLE I: RULES

Robert's Rules of Order, (Latest Edition), shall be authority on all questions of procedure not specifically stated in this Constitution and Bylaws.

ARTICLE II: MEETINGS

SECTION 1. General Membership meetings shall be called by the President or Board of Directors as needed. At least a 24-hour notice is required, specifying date, time, place and purpose of such meetings.

SECTION 2. The Board of Directors shall meet at least once a month during the school year. After establishment of a calendar, the membership shall be notified of dates, times and place of meetings.

SECTION 3. Except as specified below, all meetings of the Brighton Education Association Board of Directors shall be open to all active members. A member shall be permitted to address a meeting under the rules established by the body.

SUBSECTION A. A two-thirds (2/3) roll call vote shall be required to hold a closed session. The Board of Directors may meet in closed session only for the following purposes: to hear charges brought against an officer, employee or member when that person requests a closed hearing; for strategy and negotiating sessions; or to consider awards, organizing activities or items of a sensitive nature. In any case, the purpose of the closed session shall be announced prior to the vote.

ARTICLE III: QUORUM

SECTION 1. The quorum for the general membership shall be 25% of the total active membership.

SECTION 2. A quorum for the board of Directors meeting shall be a simple majority (the Officers and building Association Representatives).

ARTICLE IV: DUTIES OF OFFICERS

SECTION 1. President

Responsibilities shall be to preside at all meetings of the Brighton Education Association, and at all meetings of the Board of Directors; appoint chairpersons of committees subject to approval of the Board of Directors; serve as an ex-officio member of all committees; represent the Brighton Education Association, before the public; be the Executive Officer of the Brighton Education Association; serve as Chairperson of the Budget Committee and perform all other functions attributed to this office.

SECTION 2. Vice President-Elect

Responsibilities shall be to preside in the President's absence; perform duties as assigned by the President and assume responsibility for all functions delegated to the office by the President. In the event that a vacancy is created in the position of Unit-Director, the Vice President-Elect shall immediately become the President and serve in that capacity for the remaining term of office.

SECTION 3. Secretary

Responsibilities shall be to keep accurate minutes of all meetings of the Brighton Education Association, and Board of Directors; maintain official files; assist President with Brighton Education Association, correspondence and be responsible for the publishing and distribution of the approved official minutes for all Brighton Education Association, and Board of Directors meetings.

SECTION 4. Treasurer

Responsibilities shall be to deposit funds of Brighton Education Association, and disburse them according to decisions of Board of Directors; maintain roll of members; keep accurate accounts of receipts and expenditures; report to each meeting Brighton Education Association and Board of Directors; prepare an annual financial statement for membership; assist in drafting annual budget. The Treasurer shall be bonded and the Brighton Education Association, shall provide for an annual audit of the books.

SECTION 5. Representative Assembly Delegates

Responsibilities shall be to keep Brighton Education Association, informed of actions by the Michigan Education Association and issues to be presented to the Representative Assembly. Attend the Michigan Education Association Representative Assembly and other appropriate meetings and report back to Brighton Education Association.

SECTION 6. Vice-Presidents

Responsibilities shall be to perform duties as assigned by the President and assume responsibility for all functions delegated to them by the President.

ARTICLE V: DUTIES OF THE EXECUTIVE BOARD

SECTION 1. The Executive Board may convene to plan Board of Directors meetings and general membership meetings, to review negotiations or grievances, and to provide direction on specific issues within the association.

SECTION 2. It is the responsibility of the Executive Board to insure that training is being provided for all incoming officers and Association Representatives.

SECTION 3. It is the responsibility of the Executive Board to insure that a new teacher program is provided by the association.

SECTION 4. A majority of the Executive Board may approve emergency expenditures.

ARTICLE V: POWERS OF THE BOARD OF DIRECTORS

Upon the Board of Directors shall rest the duties, responsibilities and authority for conduct of the Brighton Education Association, in all matters except as provided in the Constitution and Bylaws; the Board of Directors may at any time refer matters to the general membership for consideration. The Board of Directors shall approve all expenditures in excess of \$150.00. in case of emergency a majority of the Executive Board may approve such expenditures. The budget may be adjusted by the Board of Directors to compensate for changing association priorities. Any such adjustment must be

within the approved dues level unless approval of the general membership is given by special election.

ARTICLE VI: ASSOCIATION REPRESENTATIVES

SECTION 1. Association Representatives are elected on the basis of one representative for each 12 members or fraction thereof, with a minimum of two Association Representatives per building.

SECTION 2. Duties shall be to attend regular meetings of the Board of Directors, attend Board Of Education meetings, call meetings of building membership to discuss business of the Brighton Education Association, and to provide communication between the members of our local association and the Board of Directors.

SECTION 3. Term of office shall be two school years and commence with the first general membership meeting of the school year. In those buildings where two or more Association Representatives are allowed, the terms of office shall be staggered so that each year one half of the number of Association Representatives in that building will be open for election.

SECTION 4. The ethnic representation shall be in compliance with the Constitution and By-Laws of the National Education Association and the Michigan Education Association. In the event that the ethnic representation is less than required by the Constitution and By-Laws of the NEA AND MEA, rules and procedures shall be established for an at-large election to insure proportionate ethnic minority representation.

SECTION 5. Vacancy in the position of Association Representative shall be filled by special election in the building where the vacancy exists.

ARTICLE VII: COMMITTEES

SECTION 1. Committees shall be established as needed.

SECTION 2. The President shall appoint all committee chairpersons, upon the advice and consent of the Board Of Directors, except as specified otherwise in this Constitution and By-Laws.

SECTION 3. The President shall appoint, no later than February 1, upon the advice and consent of the Board of Directors, a Professional Negotiations Committee (Team) consisting of at least two (2) representatives from each level of education (high school and alternative high school is considered one level, middle school is considered one level, and elementary including kindergarten, developmental kindergarten, and pre-school is considered one level).

SUBSECTION A. The Professional Negotiations Team shall: survey the membership, the President, the Grievance Committee, and other appropriate resources for input into the bargaining proposal; meet with the Executive Board to evaluate current contract language; participate in area and statewide negotiations meetings; develop a recommendation for an initial bargaining proposal; have all necessary authority to make concessions, accept or reject Board of Education proposals, conduct final ratification by the membership and provide to all members the opportunity to study the Tentative Agreement for at least forty-eight (48) hours prior to the scheduled ratification.

SUBSECTION B. The Negotiations Chairperson may appoint a standing committee to insure input from all groups within the association.

SECTION 4. The Grievance Committee Chairperson shall establish a Committee to consider each grievance. The committee shall include the Grievant, a building level Association Representative,

and the Grievance Chair. The President and the MEA Uniserv Director may be involved in grievance hearings at any level.

SUBSECTION A. Upon the Grievance Committee shall rest the responsibility and the authority to interpret the terms and conditions of the Master Agreement. The Grievance Committee shall be responsible for representing Brighton Education Association at the Superintendent and Board of Education levels of the Grievance Procedure. It shall also be available to assist the Grievant and Association Representative during the early stages of the procedure. The committee shall be vested with all authority necessary to reach settlement of grievances. Should a satisfactory settlement of a grievance not be achieved at the Board of Education level of the Grievance Procedure, the Grievance Chair shall call a meeting of the Arbitration Committee. The Arbitration Committee shall consist of the President, Grievance Chair, Chief Negotiator, Treasurer, Secretary, MEA Delegates, NEA Delegates, and the three Vice Presidents. The grievant(s) and the Uniserv Director will also be invited to provide information and answer questions, but will not have a vote on the Committee. A motion to approve must be supported by at least a 2/3 majority of the committee members present in order for the grievance to proceed to level 4. A quorum of this committee shall be a simple majority.

SUBSECTION B. Any member who is dissatisfied with the manner in which the member's grievance has been settled by the Association Representative, Committee Chairperson, the President, or any other union official, shall file an appeal to the Association's Executive Board within ten (10) working days from the date of such settlement or the date of being notified whichever is longer. Such appeal shall be in writing. The Executive Board shall set a time for a hearing on such an appeal. Following the hearing the Executive Board shall take action as it deems necessary. The Executive Board shall notify the member in writing of the Executive Board's decision. If a member is dissatisfied with the action taken by the Executive Board, the member shall request the matter be placed on the agenda of the next Association Board of Director's meeting. Such request shall be in writing, within ten (10) working days from the receipt of the notice of action taken by the Executive Board. If the member is dissatisfied with the action taken by the Association Board of Director's the member may request a review of the Association Board of Director's action to the MEA. Such a request for review shall be in writing and shall be within ten (10) working days from the date of the Association Board of Director's action. In the event a member does not request an appeal or review within the time limit as set forth above, the matter shall be considered closed.

SECTION 5. The President shall establish and chair a Budget Committee which shall consist of the President, the Treasurer, and two additional members appointed by the President subject to approval by the Board of Directors.

SUBSECTION A. The recommended budget shall be prepared by the Budget Committee. This budget, including a recommended dues level, shall be presented to the Executive Board in May for approval. The budget shall then be submitted to a general membership vote during the first week of June.

SUBSECTION B. The President shall select an Audit committee consisting of three members approved by the Board of Directors. The Audit Committee shall not include the Treasurer or any member authorized to sign checks, approve expenditures, responsible for preparation of financial reports, or any member of the Board Of Directors. The Audit Committee shall conduct an audit of the books for the previous fiscal year and present the results to the Board of Directors at the October meeting.

SECTION 6. The Membership Committee Chairperson will establish a Membership Committee which is responsible for maintaining records of unit membership. This includes communicating with the district's payroll office, the MEA/NEA offices, and the association Treasurer regarding dues responsibilities and changes in membership. The committee is also responsible for providing, in

conjunction with the PR/Crisis Committee, a program of new teacher orientation designed to familiarize new unit members with the organization, goals, and programs of the local unit and the MEA/NEA.

SECTION 7. The Public Relations/Crisis Chairperson shall establish a PR/Crisis Committee responsible for building morale and unity within the association, for increasing community awareness and involvement in public education, and for working with the media to promote public education. the committee will provide, in conjunction with the Membership Committee, a program of new teacher orientation designed to familiarize new members with the organization, goals, and programs of the local unit and the MEA/NEA. In a time of crisis the committee will be responsible for the preparation and implementation of a crisis plan.

SECTION 8. The Screening & Endorsing chairperson shall establish a committee representing all building levels. The committee is responsible for screening all local school board election candidates through a questionnaire and interview process. The committee will report its recommendation to the Board of Directors, who may choose to endorse one or more candidates. The committee may also screen and make recommendations regarding candidates for other local, county, state and national offices.

SECTION 9. The Flower & Card Committee Chairperson may establish a committee whose responsibility it is to send flowers, cards or monetary contributions to current or past members &/or their families, administrators, or support staff according to the guidelines approved by the Board Of Directors.

SECTION 10. The Communications Committee Chairperson may establish a committee to gather information and publish an association newsletter at least nine times per year.

SECTION 11. The President shall appoint a Historian who is responsible to gather and maintain archives of association, district, and pertinent state and national educational materials.

ARTICLE VIII: NOMINATIONS AND ELECTIONS, TERMS OF OFFICE

SECTION 1. The President shall appoint an Elections Committee which shall establish election procedures which guarantee that all elections shall provide for open nominations, secret ballot, voting procedures and preservation of ballots for at least one year.

SECTION 2. The Board of Directors shall certify the Election Committee report.

SECTION 3. Vacancies in one of the positions shall be filled by the Board of Directors until the next general election, except vacancy in the office of President and/or Representative Assembly Delegate. The Vice President-Elect shall fill a vacancy in the office of President, for the remainder of the President's term of office. Representative Delegates shall be replaced by the duly elected alternate.

SECTION 4. All voting officers plus National and Michigan Education Association Representative Assembly Delegates must be elected at-large by the membership. The election of Michigan Education Representative Assembly Delegates shall take place prior to June 1.

SECTION 5. An Elections Committee will act as the nominations committee for the at-large elections. This committee shall be appointed no later than February 15th.

SUBSECTION A. The committee shall be charged with the responsibility for preparation, publication, and distribution to the membership of a tentative slate of candidates for at-large offices

no later than March 15th. The committee shall present to the membership the final slate of candidates at least one week prior to the scheduled election. The Elections Committee shall conduct the election of at-large officers by secret ballot. It shall publish and distribute the results of the election within one week of the election.

SUBSECTION B. The committee shall be charged with the responsibility for preparing an official election report. The official election report is to be filed with the Michigan Education Association no later than thirty (30) days following the election.

SUBSECTION C. The committee shall be charged with the responsibility for notifying the Michigan Education Association the results of the Michigan Education Association Representative Assembly Delegate within ten (10) days of the election.

SECTION 7. The terms of office for all elected and appointed officers shall be fixed at one year, unless specifically stated for a longer period of time in other articles in the constitution and bylaws.

SECTION 8. Appointed officers shall not have voting privileges on the Board of Directors. If appointed officers serve in a dual capacity, they may have voting rights by nature of the office being served in duality.

ARTICLE IX: CONTRACT RATIFICATION

In contract ratifications only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to the general membership for a ratification vote. A majority vote of the active members voting shall be required for ratification.

ARTICLE X: FINANCIAL RESPONSIBILITY (DUES)

Dues of the Brighton Education Association, shall consist of the total amount of local, state and national dues (Local dues will not be prorated, state and national dues are prorated according to the dues structure.) The Board of Directors has the authority to establish local dues assessment. Special assessments can only be voted by the membership. All members covered by the Master Agreement Article II between the Brighton Board of Education and the Brighton Education Association, must pay dues or a Representative Benefit Fee as determined by the Brighton Education Association, Board of Directors. Any member covered by said master Agreement Article II who has not filed a dues/benefit authorization card with the Board of Education for payroll deduction by the 8th day of October will be subject to discharge from employment.

SECTION 1. There will be no provision for cash payment of dues by any member covered by the Master Agreement Article II. Each covered member will have their total dues paid by the payroll deduction method.

SECTION 2. The amount of monthly payroll deduction for dues and the number of pay periods that dues will be deducted will be determined by the Board of Directors.

ARTICLE XI: PAYMENT OF OFFICERS

Officers, elected and appointed, will be compensated on the basis of a schedule to be determined by the Board of Directors and subject to a vote of the membership as part of the annual budget.

ARTICLE XII: AMENDMENTS

Amendments to these bylaws may be introduced by the membership by petition signed by 35% of the total active membership and submitted to the Secretary. Amendments to the By-laws may also be introduced by the Board of Directors. These proposed amendments shall be acted upon at a subsequent meeting of the membership or by ballot within at least 30 days of submission. A copy of the proposed amendment together with the recommendations of the Board of Directors, shall be sent to each member of the Brighton Education Association, at least 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.