

**CONSTITUTION & BYLAWS
OF
MARION ESSENTIAL SUPPORT PERSONNEL**
(Last revisions ratified May 2016)

PREAMBLE

We the support personnel of Marion County School District believing that we must institute our own self-government and secure proper recognition and responsibility for the well being of the members adopt this Constitution & Bylaws

ARTICLE I -- NAME

The name of this Association shall be Marion Essential Support Personnel (MESP), hereinafter referred to as the Association in this document.

ARTICLE II -- PURPOSE

The purpose of this Association shall be:

- A. To enable members to speak with a common voice in matters pertaining to their interests and to present their common interests before their employer and other legal authorities, as provided by law.
- B. To represent all Educational Clerical, Paraprofessional, and related members of the bargaining unit as determined by PERC in matters related to wages, hours, fringe benefits, and other conditions of employment.
- C. To support and strengthen the local, state and national associations.
- D. To promote cooperation with groups having interest in public education.
- E. To encourage members to exercise their rights and privileges as members in the Association and as citizens, and to willingly accept leadership in the Association and in civic affairs.
- F. To work for the welfare of the school children, the advancement of public education, and the improvement of opportunities for all Educational Clerical, Paraprofessional and related personnel.

ARTICLE III -- GOVERNANCE

- A. The Association shall be governed by its Charter, these Bylaws, and such other actions, as the membership may take consistent therewith.
- B. This Association shall be a unified local affiliate under the rules of the National Education Association (NEA), the American Federation of Teachers (AFT), and the Florida Education Association (FEA).

ARTICLE IV -- MEMBERSHIP

- A. Membership Eligibility
 1. Membership in this Association shall be consistent with requirements for membership in the FEA, AFT, and NEA.
 2. Membership in the Association shall be open to any support person who is engaged in or on a limited leave of absence from education work for the Marion County (Florida) School Board, who pays annual dues, and who also meets the eligibility criteria as enumerated in the current PERC certificate for the Noninstructional Bargaining Unit.
 3. Membership in the Association shall be open to all those eligible without regard to race, creed, religion, age, handicap, national origin, color, gender, sexual orientation, marital status or economic status.

ARTICLE V -- EXECUTIVE OFFICERS

- A. Composition -- The Executive Officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer.
- B. Qualifications -- To qualify to be nominated and serve as an officer, a person must maintain active membership status.
- C. Election Rules -- Nominations must be open to any person who is an active member of the Association. Further, voting shall be conducted by secret ballot.
- D. Term of Office -- The length of terms of Office will be three (3) years. Elections will be staggered to minimize the turnover of officers during any given year. Terms of officers shall commence on July 1. There shall be no term limits.
- E. Vacancies --
 - 1. A vacancy in the office of President shall be filled by the Vice-President. If the office of Vice-President is also vacant, the Executive Board shall elect a successor to the President from the Board to serve until the next regularly scheduled election cycle.
 - 2. If a vacancy occurs in any other executive officer position, the Executive Board shall elect a successor to serve until the next regularly scheduled election cycle.
- F. Impeachment -- An executive officer may be impeached under the provisions established in the FEA Constitution and Bylaws.
- G. Removal from Office -- After two unexcused Executive Board meeting absences of an officer and/or proof of failure to perform duties, an officer may be removed from office by majority vote of the Executive Board.
- H. Appeal -- An officer who has been removed shall have the right to appeal to the Association Representative Council. The decision of the Association Representative Council will be final.

ARTICLE VI -- EXECUTIVE BOARD

- A. Composition -- The Executive Board shall be comprised of the Executive Officers and four Directors elected from the various classifications within the Bargaining Unit. Directors must be employed in a classification appropriate to the group of bargaining unit employees they represent: one clerical position, two paraprofessional positions, and one unspecified position. In order to be nominated and elected to serve in the "unspecified" position, the individual must be in a classification other than clerical and paraprofessional. Elections will be staggered to minimize the turnover of Directors during any given year.
- B. Qualifications -- To qualify to be nominated and serve as a Director, a person must maintain active membership status in the appropriate employee category. Self-nomination is the preferred method. If nominated by a third party, the nominated individual must also sign the nomination form indicating their willingness to serve.
- C. Election Rules -- The opportunity to vote must be extended to any person who is an active member of the Association. Voting shall be conducted by secret ballot.
- D. Term of Office for Directors -- The length of terms for Directors shall be three (3) years. Terms of Directors shall commence on July 1. There shall be no term limits.
- E. Quorum and Voting -- A majority of the members of the Executive Board shall constitute a quorum. In the event of a tie vote, the issue will be brought to the Association Representative Council for Resolution.
- F. Vacancies -- If a Director's position is vacant, the Executive Board shall appoint a successor to serve until the next regularly scheduled election.
- G. Impeachment -- A Director may be impeached under the provisions established in the FEA Constitution and Bylaws.
- H. Removal from Office -- After two unexcused Executive Board meeting absences of a Director and/or proof of failure to perform duties, an Executive Board member may be removed from office by a majority vote of the Executive Board.
- I. Appeal -- An Executive Board member who has been removed shall have the right to appeal to the Association Representative Council. The decision of the Association Representative Council will be final.

ARTICLE VII -- ASSOCIATION REPRESENTATIVES

- A. Composition -- Active members at each job site shall elect an Association Representative for each 10 members or major fraction thereof.
- B. Qualifications -- To qualify to be nominated and serve as an Association Representative, a person must maintain active membership status.
- C. Election Rules -- Nominations must be open to any person who is an active member of the Association. Further, voting shall be conducted by secret ballot.
- D. Term of Office for Association Representatives -- Association Representatives shall serve one (1) year terms commencing July 1 each year and may serve successive terms.
- E. Vacancies -- In the event a vacancy occurs, the membership within the job site shall elect another member to serve the unexpired term.
- F. Recall -- An Association Representative may be impeached for malfeasance, misfeasance, or nonfeasance in accordance with the FEA Constitution and Bylaws.

ARTICLE VIII -- COMMITTEES

- A. Standing committees of the Association shall be the following: Membership, Elections, Communications/Events, Government Relations, and Collective Bargaining. Members of standing committees shall be appointed for a one-year term and shall be eligible for reappointment. Leadership will solicit committee volunteers from among the general membership at the beginning of each School Year.
- B. Each standing committee shall consist of a Chairperson and at least two (2) members. The President shall appoint the Chairpersons and members.
- C. Special task force(s) may be established by the Executive Board.
- D. The Chairperson of each committee shall be responsible for scheduling, noticing, and conducting all committee meetings; and for reporting the activities of the committee to the Executive Board on a regular basis.
- E. Committee composition should be representative of the various work areas within the unit as much as feasible.

ARTICLE IX -- GENERAL MEMBERSHIP

- A. There shall be at least two (2) regularly scheduled general meetings of the membership during each school year. Special meetings may be called by the President with the approval of the Executive Board or by the Executive Board.
- B. Those members present shall constitute a quorum at all general membership meetings of the Association.
- C. General membership meetings shall be announced at least ten calendar days in advance.

ARTICLE X -- MINORITY PARTICIPATION

The President and Executive Board shall make every effort to ensure equitable representation within the Association of ethnic-minority members. Equitable representation shall include participation on committees, in leadership positions, and at local, district, state and national meetings.

ARTICLE XI -- AMENDMENTS

- A. Amendments to the Constitution and Bylaws must be made by a majority vote of the members by printed ballot.
- B. Proposed amendments shall be published and distributed to all members at least thirty (30) days prior to the proposed date of consideration for vote.

ARTICLE XII -- FISCAL YEAR / MEMBERSHIP YEAR

The fiscal year and membership year of this Association shall begin on the first day of September and end the 31st day of August.

ARTICLE XIII -- PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised shall be the parliamentary authority for the Association on all questions of operational procedure and on all questions not covered by the Constitution and Bylaws or by such Standing Rules as the Association may adopt.

BYLAWS

ARTICLE I -- MEMBERSHIP CATEGORIES

- A. Active -- Active membership shall be open to any person engaged in or on a limited leave of absence from education work for the Marion County (Florida) School Board, who pays annual dues, and who also meets the eligibility criteria as enumerated in the current PERC certificate for the Noninstructional Bargaining Unit.
- B. Associate -- Associate membership shall be open to any person who is interested in advancing the cause of public education, but who is not eligible for any other class of membership in the Association.

ARTICLE II -- DUTIES OF OFFICERS

- A. The President shall:
 - 1. Serve as the official spokesperson for the Association unless he/she delegates such authority to another person;
 - 2. Preside at all meetings of the Association Representative Council and Executive Board;
 - 3. Receive and consider granting excusal requests for attendance at Executive Board and Rep. Council meetings.
 - 4. Appoint the Chairperson and members of standing committees;
 - 5. Assist the Treasurer in preparing a preliminary budget to be presented to the Executive Board for approval;
 - 6. Prepare a tentative agenda for each meeting of the Executive Board, Association Representatives and general membership;
 - 7. Serve as a representative to the United UniServ Coordinating Council;
 - 8. Serve as the automatic Lead Delegate to the FEA Delegate Assembly, the NEA Representative Assembly, and the AFT Convention; and
 - 9. Perform such other functions usually attributed to the office of President.
- B. The Vice-President shall:
 - 1. Perform the duties of the President if the President is unable to perform the duties of office;
 - 2. Attend all Executive Board and Association Representative Council meetings;
 - 3. Serve as an automatic Delegate to the FEA Delegate Assembly;
 - 4. Serve as Lead Delegate to the NEA Representative Assembly and the AFT Convention whenever the President is unable to do so; and
 - 5. Perform such duties as may be requested by the President or the Executive Board.
- C. The Secretary shall:
 - 1. Keep the minutes of all Executive Board, Association Representative Council, and General Membership meetings and provide written copies of such minutes to the Executive Board;
 - 2. Send notices of all Association meetings and official Association correspondence; and
 - 3. Perform such other functions as may be requested by the President or Executive Board.
- D. The Treasurer shall:
 - 1. Provide a regular financial report to the Executive Board and Association Representatives;
 - 2. Coordinate the development of the Association's annual budget;
 - 3. Perform such other functions as may be requested by the President or Executive Board, or as required by law.

ARTICLE III -- DUTIES OF EXECUTIVE BOARD

- A. The Executive Board shall:
 - 1. Attend all Association Representative Council and Executive Board meetings;

2. Serve as the policy setting body of the Association;
 3. Establish the annual dues;
 4. Adopt an annual budget;
 5. Coordinate and help conduct the year-round membership campaign;
 6. Approve the appointment of committee chairs and members;
 7. Set dates and times of general membership meetings; and
 8. Conduct other duties as may be mandated by the general membership.
- B. Meetings -- The Executive Board shall meet no less than four times each year. The first meeting shall be called by the President within thirty days of the beginning of the School Year. The Executive Board shall establish and adopt a schedule for subsequent meetings. Special meetings may be called by the President or by a petition signed by at least one-third of the members of the Executive Board.

ARTICLE IV -- DUTIES OF ASSOCIATION REPRESENTATIVES

- A. An Association Representative shall:
1. Provide ongoing organizing efforts at his/her respective job site and report promptly any changes in membership to the President;
 2. Represent the members of his/her job site at Association Representative Council meetings and training sessions.
 3. Inform members within the job site about the pertinent matters of the Association through regular communications and distribution of Association materials.
 4. Conduct Association elections at his/her job site in accordance with election rules and timeliness.
 5. Ensure that the MESP bulletin board, as provided for in the contract, is current and visible.
 6. Perform such other duties as may be assigned by the President or the Executive Board.
- B. Meetings -- The Association Representative Council shall meet no less than eight times each year. The first meeting shall be scheduled by the President within thirty days of the first Executive Board meeting of the School Year. The Executive Board shall approve a final agenda for all Association Representative Council meetings. Special meetings may be called by the President or by a petition signed by at least one-third of the members of the Association Representative Council.

ARTICLE V --TRANSITION PLAN FOR MOVEMENT TO THREE-YEAR TERMS

- A. This section describes the changes necessary to move officers and directors to three-year terms, consistent with Constitution Articles V and VI (as amended).
- B. The incumbents serving as President, Vice-President, Secretary, Treasurer, Paraprofessional Director Seat #1, and Paraprofessional Director Seat #2 on May 1, 2012 will have their respective terms extended for one year.
- C. As a result of these changes, the first three-year cycle of elections, with all positions to be elected to three-year terms, will be as follows:
- 2013: Director-Unspecified
 2014: President, Secretary, Director-Paraprofessional Seat #2, Director-Clerical
 2015: Vice President, Treasurer, Director-Paraprofessional Seat #1
- D. The above three-year cycle will be repeated thereafter.