

By-Laws for the Christina Paraprofessional Association

Affiliated with DSEA/NEA

May 2015

Article I- Name Affiliation

Section 1: The name of this Association shall be the Christina Paraprofessional Association. The Association shall be affiliated with the Delaware Stated Association and the National Education Association.

Article II- Purpose

Section 1: The purpose of this Association shall be to promote the general welfare of its members, to protect and advance the interests of its members, to advance the standards and working conditions of its members, and to establish and maintain helpful, friendly relations within the community among all persons and groups connected with this organization and within the Christina School District.

Article III- Membership

Section 1: All full-time or part-time paraprofessionals or any support person employed in the Christina School District may become an active member.

Section 2: Membership shall be continuous until the member leaves the School District or resigns from the Association during the designated period. All remaining dues owed shall be taken out the of the employee's last paycheck.

Section 3: Members of the Association shall also be active support members of the Delaware State Education and the National Education Association.

Section 4: Any increase in the annual full-time dues of this Association shall be voted upon by members at a general or specific membership meeting after

reasonable notice has been given of intention to vote upon such question. Dues for part-time employees shall be determined by the Executive Board.

Section 5: The membership year shall be from be September 1st through August 31st. The para-professional contract supersedes the by-laws.

Section 6: Rights of Membership

- a. Every member shall have equal rights and privileges within the organization to nominate candidates; to vote in elections or in referenda of the Association; to attend memberships meetings; to participate in the deliberations and voting upon the business of such meetings except that in voting on contract ratification, only members in the appropriate unit of representation shall have the right to vote.
- b. Every member shall have the right to meet and assemble fully with other members; to express any views, arguments, or opinions; to express views at meetings upon candidates in any election of the Association or upon any business properly brought before the meeting
- c. No member shall be fined, suspended, expelled or otherwise disciplined except for non-payment of dues without being served with specific written charges and given a reasonable time in which to prepare a defense which may be asserted at a full and fair hearing.

Article IV- Officers

Section 1: The officers of this Association shall consist of a President, a Vice-President, Secretary and Treasurer.

Section 2: The officers shall be elected at the May General Membership and installed for a term of two (2) years.

- a. The President and the Treasurer shall be elected during the even number of years for a two (2) term beginning July 1st.

- b. The Vice-President and the Secretary shall be elected during the odd number of years for a two (2) year term beginning July 1st.

Section 3: All candidates for the office of President, Vice-President, Secretary, and Treasurer shall be active members of the Association.

Section 4: Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their office. Where an officer is guilty of misconduct, such officer may be removed for cause (shown after notice and a hearing) and a majority vote of the Association.

- a. Recommendation for recall can be made by a submission of a petition containing the signatures of twenty-five (25%) of the membership to the Executive Committee.
- b. The Executive Committee shall notify in writing any officer who has been recommended for recall.
- c. Any officer may appeal in writing to the Executive Committee.
- d. The Executive Committee shall schedule hearings. Whenever necessary, to review the recommendation of recall of an officer.
- e. The report of those hearings shall be made available to the membership.
- f. A general meeting shall be called two (2) weeks after the issuance of the report.
- g. Such recall shall be determined by a majority vote of the membership in attendance at said meeting.

Section 5: The duties of the Officers of the Association shall be as follows:

- a. **President**-The President shall preside over meetings of the Executive Committee and the General Membership. The President shall appoint with approval of the Executive, the chairperson and members of all committees

and shall be the Executive officer of the Association. The President shall represent the Association before the public either personal or through delegates and shall perform all other functions usually attributed to this office. In addition, the President shall serve as chairperson of the local delegation at both the NEA Representative Assembly and the DSEA Representative Assembly.

- b. **Vice-President**- The Vice-President shall assume all duties of the President in the President's absence or incapacitation and shall perform all other functions usually attributed to this office. The Vice-President shall work closely with one or more standing committees as the President may suggest.
- c. **Treasurer**- The Treasurer shall hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President; shall sign all checks and with one other signature being the President or Vice-President. The Treasurer shall give a financial report at each meeting of the Executive Committee and General Membership; shall serve on the Budget Committee; and shall perform any other duties relative to the position of the Treasurer. Must see that a copy of the annual audit shall become part of the Association's permanent record. A copy shall be sent to DSEA; unless they do the Audit.
- d. **Secretary**- The Secretary shall keep accurate minutes of executive, general and other association meetings for approval by the president or designee; shall maintain official files; shall assist the President with Association correspondence.

Section 6: A vacancy in the office of President shall be filled for the unexpired term Vice-President. A vacancy in the office of Vice-President or Secretary or Treasurer shall be filled for the unexpired term by appointment of the Executive Committee as soon as possible after it occurs.

Article V- Executive Committee

Section 1: The Executive Committee shall consist of the officers and at least one (1) member elected or every twenty (20) members and/or major fractions thereof.

Section 2: The chairperson of each standing committee shall serve as a non-voting member of the Executive Committee. If a chairperson is appointed and not elected, then they can be a voting member of the Executive Committee.

Section 3: All elected members of the Executive Committee shall serve for a term of two (2) term beginning July 1st following their election. The Executive Committee shall be elected during the odd number years.

Section 4: All candidates for the Executive Committee must be active members of the Association.

Section 5: The Executive Committee shall elect additional Executive Committee members as appropriate to insure ethnic minority representation equal to the identified ethnic minority membership of the Association. Should ethnic minority members not be nominated through the prescribed procedures for nomination, nomination for ethnic minority representatives shall be conducted from the floor.

Section 6: A vacancy in any of the elected positions on the Executive Committee shall be filled for unexpired term by the Executive Committee.

Section 7: Recommendations for recall for any elected position on the Executive Committee shall follow Article IV- sections 4 of these By-laws.

Section 8: The Executive Committee shall:

- a. Be responsible for the management of the Association.
- b. Authorize expenditures within the limits of the budget.
- c. Suggest policies for consideration of the membership.

- d. Establish such committees as may be necessary.
- e. Act on reports of committee.
- f. Adopt rules for governing the conduct of meetings as are consistent with Constitution and By-Laws.
- g. Have the power to determine policy of the Association dealing with the administration of the Association not defined in these Constitution and By-Laws as belonging to the general membership.
- h. Shall recommend to the general membership a secret ballot vote for any change in the amount of Association dues.

Section 9: Any member of the Association who is not a member of the Executive Committee may attend its meetings and may receive permission to speak under new business or with the consent of the majority of those Executive Committee Members present.

Article VI- Committees

Section 1: The elected chairperson of committees shall serve for a term of one (1) year starting September 1st. The elected chairperson shall serve at the pleasure of the President and Executive Committee. The chairperson shall select standing committee members and submit names to be considered and confirmed by the Executive Committee. In the event of a Committee Chairperson not being elected, the President with approval of the Executive Committee shall appoint one.

Section 2: Each standing committee shall meet according to a calendar developed by the chairperson and submitted to the President.

Section 3: Each committee shall select a Secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Executive Committee and the General Membership and prepare an annual report, which shall become a part of the continuing committee record in the Association files.

Section 4: Standing committee title and duties shall be as follows:

- a. **The Negotiations Committee** shall survey the members and prepare a proposed package to negotiate with the employer by the Association's negotiation team. The Negotiation Committee shall serve one (1) term during the time it takes to negotiate the contract.
- b. **The Grievance Committee** shall explore and prepare proposed programs for securing satisfactory policies and procedures for the redress of grievances. It shall process all grievances filed in accordance with the agreement and policies adopted by the Association. It shall advise the Executive Committee in situations involving the defense of individual rights. The Grievance Chairperson shall be notified so they can work directly with the Uni-Serv Director to assist with any grievances, especially when the Building Representative or Uni-Serv Director cannot attend the meeting. All Grievance Committee persons must complete grievance training; once that is done they may attend any 48 hour meeting.
- c. **The Membership Committee** shall organize and conduct membership enrollment. Its members shall attempt to get former and 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. Membership Chairperson shall work closely with the President and attend membership training throughout the year. Membership Chairperson shall report to the Executive Committee and Building Representative of new members in their building. Must take IMS training to input all changes to member's information.
- d. **The Communication Committee** shall be responsible to keep the General Membership informed of Association actions through fliers, newsletters or E-mail. At least one (1) of its members shall keep in close contact with the Negotiation team. At least one (1) person shall be responsible to monitor

and update the Para-professional website. All communications shall be reviewed by the Association President or Executive Committee.

- e. **The Legislative Committee** shall have broad concern for state and national legislation affecting the interests of the Association. It shall inform members about newly proposed and enacted legislation related to their welfare; promote DSEA/NEA legislative goals, programs and leading to the passage of desirable legislation; encourage members to exercise their responsibility for voting and their right to participate in political activity.
- f. **The Budget Committee** shall propose to the Executive Committee 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 of the annual Budget.

Section 5: Special Committees- Each year the President shall appoint an Audit Committee, a Liaison committee, Election committee and other special committees as may be necessary and shall disband them upon completion of their duties. These committees shall operate according to rules approved by the Executive Committee. Committee chairpersons, Delegates and their members will be effective September 1st and introduced at the September general meeting except the Election Committee which will be appointed in October each year.

Job description for building Representatives

1. *Needs to be an active member of the association.*
2. *Term will be one year.*
3. *Will be elected at the start of the school year by the members in their building.*
4. *Is required to attend the general meetings or send a designee.*

5. *Is responsible for disseminating information to the members in their building.*
6. *Must have a working knowledge of the contract and policies to answer members questions who have problems.*
7. *Buildings/programs should have 1 representative for every 20 members*
8. *Must contact and educate non- members of the benefits and importance of their involvement in the association.*

Article VII

Delegates to the DSEA and NEA Representative Assemblies

Section 1: Election of Delegates:

- a. Election to the office of President of the Association shall constitute as local delegate to both the DSEA Representative Assembly and the NEA Representative Assembly.
- b. Local Delegates to the DSEA and the NEA Representative Assemblies shall be nominated by submitting a written request to be placed on the ballot to the Election Committee Chairperson during the year in which the election is to take place. Nominations shall be open to any active member of the Association. Delegates shall be elected by receiving the most votes cast from a secret ballot made available to all active members of the Association.
- c. Delegate's alternates to the DSEA and NEA Representative Assemblies shall be candidates not receiving a sufficient of votes to be regular delegates. Alternate delegates shall be designated in descending order according to the number of votes received. A number of alternates equal to the number of local designated.

- d. Delegates to the DSEA and NEA Representative Assemblies shall serve a one (1) year term.
- e. A number of local of local delegate positions in direct proportion to the percentage of ethnic minority membership of the Association shall be reserved for ethnic minorities.
- f. All Delegates must attend DSEA and NEA Representative Assemblies for the duration of the Assembly; unless given special permission from the Association President to leave early.
- g. Delegates attending the DSEA and NEA Representative Assemblies will receive a package to review all materials to be discussed at the DSEA and NEA Representative Assemblies.
- h. All Delegates will vote on pertinent information at the DSEA and NEA Representative Assemblies. At least one (1) Delegate shall report back to the Executive Committee any pertinent information to be share with all members.

Article VIII- Elections

Section 1: The President shall appoint, subject to approval by the Executive Committee, at its October meeting an Elections Committee. No officer of the Association or member of the Executive Committee shall serve on the Elections Committee. The Election Committee shall be responsible for establishing the rules governing the electoral process as governed by the By-Laws of the Association. Candidates may be nominated or nominate themselves from the floor at the General meeting in March. Candidates for positions shall be confirmed by the Elections Committee before being placed on the ballot. A list of names of candidates shall be prepared by the Committee and presented to the Executive Committee and General Membership at the April Meeting or at least fifteen (15) days before the election.

Section 2: Balloting

- a. At the General membership meeting in May, members shall vote for officers by secret ballot; one half hour (1/2 hour) prior to General membership meeting unless the process will be handled by the “survey monkey” or other electronic means.
- b. When in person voting, members of the Elections Committee shall distribute, collect and tabulate the votes and present their written report to the chairperson who will announce the results. The candidates receiving the most votes cast shall be declared the winners.
- c. New officers shall be installed according to Articles IV and V.

Article IX- Meetings

Section 1: The Executive Committee shall meet at least four (4) times a year at the call of the President or at the request of a majority of the members of the Executive Committee. All meetings dates shall be given to all members at the General meeting.

Section 2: general membership meetings shall be held at least two (2) times a year or at the call of at least ten percent (10%) of the members. All meeting dates shall be given or sent out via email to its members.

Section 3: A Special meeting of those members of the Association who are members of the bargaining unit shall be called by the President for the purpose of approving any negotiated contract. A majority vote of those members present shall be required to ratify any contract.

Section 4: Liaison meetings shall consist of the Association President and two (2) active members of the membership.

Article X- Quorum

Section 1: A majority of the elected Executive Committee members constitute a quorum for the Executive Committee.

Section 2: The members present shall constitute a quorum of the General Membership meetings.

Article XI- Fiscal Year

The fiscal year of the Association shall begin September 1st and end August 31st.

Article XII- Authority

Robert's Rule of Order Revised Edition shall be the parliamentary authority for the Association on all questions not covered by the By-Laws and such standing rules as the Executive Committee may adopt.

Article XIV- Amendments

The By-laws of this Association may be modified by a two-thirds (2/3) vote of the members present at any General Meeting, provided that a proposed amendment shall have been presented in writing to the President of the Association at least thirty (30) days prior to the announced date of the meeting and shall be distributed by the President to the General Membership at least fourteen (14) calendar days prior to the meeting to discuss the amendment. Amendments to the By-Laws shall become effective prospectively at the close of the membership meeting at which passed, unless a delayed effective date is otherwise specified.

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