

**Kalamazoo Education Association
CONSTITUTION**

Revised: 9/87; 5/92;
5/01; 11/06; 1/15

PREAMBLE

We, the professional educators of the Kalamazoo Public Schools believing that we must institute our own self-government and secure proper recognition and responsibility for the well-being of our members, adopt this constitution.

Article 1 – Names

The name of this Association shall be the Kalamazoo Education Association / K.C.E.A. / M.E.A. / N.E.A. a local affiliated unit of the Kalamazoo County, Michigan, and National Education Associations. The Association shall be a non-profit corporation organized in accordance with the laws of Michigan and shall here after in the Constitution bylaws be referred to as the K.E.A.

Article II -- Purpose

The purpose of the K.E.A. shall be the improvement of education, and the promotion of the professional growth of its members, as well as to represent the interests of its members in bargaining, political action, governance and affiliations.

Article III-- Membership

Section 1 - Membership shall be available to all professional personnel employed in the Kalamazoo Public Schools who are included in the K.C.E.A. bargaining unit.

Section 2 - Membership shall be continuous until the member leaves the school system.

Section 3 – Active members who meet the requirements established by the MEA in the dues transmittal policy for the payment of dues shall be considered active members in good standing and shall be permitted the rights, privileges and benefits of membership.

Section 4 - Members in good standing of the Association shall also be members of the Kalamazoo County Education Association, Michigan Education Association and the National Education Association.

Section 5 - No member in good standing shall be censured, suspended or expelled without a due process hearing. The hearing shall be conducted by the Judicial Board (see judicial board, article VI). An appeal may be made to the MEA Board of Reference.

Article IV -- Governing Board

Section 1 - The legislative and policy-forming body of the Association shall be the Governing Board.

Section 2 - The Governing Board shall consist of the Executive Board and representatives from each school faculty.

SECTION 3 – No person shall be a candidate for office or position, or hold office or position, whether elected or appointed, in the Association unless he or she is an active member in good standing. Any office or position holder, whether elected or appointed, of the Association that does not maintain active membership in good standing, shall be removed from office after notice and opportunity to return to good standing within thirty (30) days.

Section 4 - Any member in good standing of the Association who is not a member of the Governing Board has the right to attend its meetings, shall sit apart from the voting body, and may receive permission to speak by a majority vote of the Governing Board present and voting.

Section 5 - Executive Board members shall have a voice but no vote on the Governing Board.

Section 6 - No one person may be both on the Executive Board and an Association Representative to the Governing Board.

Section 7 - The Governing Board shall be empowered to override an Executive Board action by a majority vote of the Governing Board membership.

Section 8 - The ethnic representation shall be in compliance within the constitution and bylaws of the NEA and MEA. In the event that the ethnic representation is less than required by the constitution and bylaws of the MEA and NEA Rules, procedures shall be established for an at-large election to insure proportionate ethnic minority representation.

Article V -- Executive Board

Section 1 - The officers of the Association shall consist of a president, a vice-president, a secretary, a treasurer, delegates to the MEA / NEA Representative Assembly, and at-large grade level representatives. Terms of president, vice-president, secretary, treasurer, and at-large grade-level representatives shall be for two **(2)** years and commence on September 1. MEA / NEA Representative Assembly delegates (seats C, D, E, and F) shall be for three **(3)** year terms commencing on September 1.

The new president shall assume office and have the authority to conduct association business seven (7) calendar days prior to the first contractual teacher work day.

Section 2 - The Executive Board shall consist of the officers, at-large grade level representatives, the directors of the five departments, and MEA / NEA Representative Assembly delegates. The directors of the five departments will be ex-officio with voting rights unless holding a KEA elected officer position.

Section 3 - Any Association member who is elected to the MEA or NEA Board of Directors shall be ex-officio without vote.

Section 4 - The Executive Board shall be the executive authority of the Association and shall manage the properties, assets and programs of the K.E.A. in accordance with policies and procedures established by the Governing Board.

Section 5 - The Executive Board, by majority of its membership, shall be empowered to delay actions of the Governing Board.

Article VI -- Judicial Board

Section 1 - The Judicial Board shall consist of three (3) members and three (3) alternatives.

Section 2 - The Judicial Board shall be the judicial authority of the K.E.A. having power to rule on the following cases and controversies: interpretation of this Constitution and Bylaws, membership of K.E.A., matters of competence and conduct of officers, departments and committees, compliance with the rules and directives of the Association, and Code of Ethics of M.E.A. and N.E.A.

Section 3 - No member in good standing shall be censured, suspended or expelled without a due process hearing. The hearing shall be conducted by the Judicial Board. An appeal may be made to the MEA Board of Reference. It shall have power to reinstate a suspended or expelled member.

Section 4 - After a proper hearing under due process, a majority of the judges shall have power to determine that an officer or appointed official has been grossly negligent of the duties defined in the bylaws.

Article VII -- Departments

Section 1 - KEA activities shall fall within the authority of five (5) departments.

A. Department of Employer Relations

1. Shall be responsible for performing all duties normally associated with K.E.A.s constituency in the bargaining agent for the professional staff employed by the Kalamazoo Public Schools.
2. Shall be responsible for maintaining the master contract agreement and protecting employee rights under such agreement and applicable laws.

B. Department of Professional Development and Human Rights **(PD/HR)**

1. Shall act on behalf of the K.E.A. in all matters involving the education of teachers, children, and in all matters pertaining to instructional policy and program, including representing the K.E.A. in joint enterprises with the employer.
2. Shall implement action programs for pre-service, continuing and in-service training of educators.
3. Shall act on behalf of the K.E.A. in all matters of involving the human rights of teachers.

C. Department of Communications and Public Relations

1. Shall be responsible for the publication of regular internal communications.
2. Shall promote the best interests of the K.E.A. to the public.

D. Department of Political Action

1. Shall represent the K.E.A. as a constituent member of the Kalamazoo Area Political Action Committee.
2. Shall act on behalf of K.E.A. in all matters pertaining to local, state and national elections and political and legislative activity affecting educators and education.

E. Department of Delegations

Shall serve as liaison between the K.E.A. and other teacher organizations and shall represent the K.E.A. in all organizations with which the K.E.A. is an affiliate.

Section 2 - Committees shall be established within these departments when deemed necessary by the Department Director or as directed by the President or the Executive Board or the Governing Board.

Section 3 - Department Directors shall be appointed by the President with the approval of the Governing Board and shall be directly responsible to the President. No person may hold more than one Department Directorship.

Article VIII Affiliation

Section 1 - The Association shall affiliate with the National Education Association under its constitution and bylaws, and the Michigan Education Association under its constitution and bylaws, and may affiliate with other organizations at the discretion of the Governing Board.

Section 2 - Any part of this constitution and/or bylaws which is in conflict with the MEA and/or NEA constitution and/or bylaws shall be declared null and void.

Section 3 - Any part of this constitution and/or bylaws which is in conflict with the state and/or federal law will be declared null and void.

Article XI -- Membership and Fiscal Year

The membership and fiscal years of the Association shall be September 1 through August 31.

Article X -- Amendments

Section 1 - Amendments to this Constitution shall be submitted in writing by the Executive Board, or the Governing Board, or by petition of twenty (20) members in good standing to the secretary. A two-thirds (2/3) majority of the Association members in good standing casting ballots is required to adopt a proposed amendment.

Section 2 - Amendments to the Bylaws shall be submitted in writing to the Association secretary. Copies shall be provided to each Governing Board member at least three (3) work days prior to the Governing Board meeting for discussion. Voting on any changes shall not occur sooner than the next Governing Board meeting. Copies for members in good standing will be made available upon request. Adoption shall be by a two-thirds (2/3) vote of the Governing Board membership.

Section 3 - Amendments shall become effective immediately upon adoption unless otherwise provided.

Article XI -- Initiative, Referendum, and Recall

Section 1 (Initiative) - A petition of twenty (20) signatures of Association members in good standing may initiate any matter to be brought before the Governing Board.

Section 2 (Referendum) - A petition of forty (40) signatures of members in good standing of the Association shall

require the Governing Board to submit to the Association membership in good standing for referendum matters, excluding recall of elected officers, as the petitioners may request.

Section 3 (Recall) - By petition of two hundred (200) signatures of the Association membership in good standing, elected officers shall be subject to recall. Said petition shall include specific dereliction of duties and be for just cause.

A - The Association secretary shall verify the member signatures and set the date for a hearing under this Article to be held not sooner than five (5) work days nor later than twenty-five (25) work days after the filing of a petition or decision of the Governing Board.

B - The Judicial Board shall convene the hearing utilizing Judicial Board Procedures. An impartial report of the information presented at the hearing shall be provided to all members in good standing at least five (5) calendar days prior to any further action.

C - The association secretary shall set the date for a vote under this article not sooner than five (5) work days or later than twenty-five (25) work days after receipt of the Judicial Board report.

D - Voting shall be by secret ballot. A simple majority of the membership in good standing shall constitute a decision.

E - By petition of a majority of the members of the Governing Board, an appointed officer shall be subject to recall.

ARTICLE XII DISSOLUTION

In the event of dissolution of the Association, any assets remaining after the payment of all expenses shall be distributed in the following manner:

A – If there is a successor affiliated with the Michigan Education Association (MEA), such successor shall receive all remaining assets.

B – If there is no such successor, the remaining assets shall be distributed as determined by governing board determination prior to such dissolution. Options for such distribution shall include the MEA and/or another non-affiliated union and/or designated charities.