

LEON EDUCATIONAL STAFF PROFESSIONAL ASSOCIATION CONSTITUTION

PREAMBLE

We, the Educational Support Personnel of Leon County, 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 and By-laws.

ARTICLE I – NAME

The name of this Association shall be the Leon Educational Staff Professional Association, hereinafter referred to as LESPA.

ARTICLE II – PURPOSE

The purpose of LESPA shall be to:

- A. Protect the rights of members;
- B. Guarantee due process;
- C. Have effective political involvement;
- D. Represent the support personnel in collective bargaining;
- E. Promote high professional practices;
- F. Provide opportunity for leadership among members;
- G. Support and strengthen the District, State and National Associations;
- H. Improve educational opportunities in this County, State and Nation;
- I. Promote cooperation with other groups having educational interest.

ARTICLE III – AFFILIATION

LESPA shall be a unified local affiliate of the National Education Association (NEA), and the Florida Education Association (FEA), the American Federation of Teachers (AFT), and the American Federation of Labor – Congress of Industrial Organizations (AFL-CIO) and shall comply with their Constitution and By-laws.

ARTICLE IV – MEMBERSHIP

Section 1 – Membership Eligibility:

- A. Membership in LESPA shall be any person who is employed in or who is on leave of absence from an educational staff professional position in the Leon County School System consistent with requirements for membership in the FEA, NEA, and the AFT.
- B. All Educational Support Personnel who meet the active membership requirements may, upon payment of dues as herein prescribed, become an active member of LESPA with full rights and privileges of membership.

- C. Membership in LESPA shall be open to all those eligible without regard to race, creed, religion, age, sex, handicap, sexual orientation, or national origin.
- D. A member in good standing is one who is currently paying dues and is not in arrears for their dues.

Section 2 – Classification:

- A. Active membership shall be open to any person engaged in or on a limited leave of absence from educational work in the public sector. Active membership shall be limited to persons who maintain membership in the local, state and national affiliates.
- B. 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 LESPA.
- C. Retired membership shall be open to any retired member who has held active or associate membership in LESPA immediately prior to retirement.

ARTICLE V – EXECUTIVE OFFICERS BOARD

Section 1 – Executive Officers:

The executive officers of LESPA shall be President, Vice President, Secretary, and Treasurer. LESPA will make every effort to represent each of the following employment classifications: Technical, Supervisory, Clerical, Teacher Aides/Instructional Aides and Interpreters).

Section 2 – Composition:

The Executive Board shall consist of the Executive officers of LESPA, six Area Directors, and all committee chairpersons.

Section 3 – Power and Duties:

The power and duties of the Executive Board shall be those enumerated in the By-laws.

Section 4 – Meetings:

The Executive Board shall meet once each month on a day and time established by the Board or other times called by the President or the majority of the Executive Board with a forty eight (48) hour notice for unscheduled meetings.

ARTICLE VI – REPRESENTATIVE COUNCIL

Section 1 – Composition:

The Representative Council Chair shall be appointed by the President for a term of (3) years. The Representative Council shall consist of representatives from each school or work location based upon a ratio of one (1) representative to every ten (10) members or major fraction thereof. However, each school or work location shall have at least one (1) representative.

Section 2 – Powers and Duties:

The power and duties of the Representative Council and Representatives shall be those enumerated in the By-laws.

Section 3 – Meetings:

The Representative Council shall meet once a month on a day and time established by the Council.

ARTICLE VII – MEMBERSHIP YEAR AND FISCAL YEAR

Section 1 - The membership and fiscal year shall be September 1 through August 31.

ARTICLE VIII – PARLIAMENTARY AUTHORITY

Section 1- Robert's Rules of Order, Revised latest edition, shall be the authority on all questions of procedure not specifically stated in these Constitution and By-laws.

Section 2 – Qualifications for Executive Officers:

All candidates for office shall be an active dues paying member of LESPA.
All Executive Officers shall maintain active membership in LESPA.

Section 3 – Election and Terms: Executive Officers / Executive Board

A. Election of all LESPA Executive Officers and Area Directors shall be by open nominations and secret ballot. Any active members, in good standing, may nominate themselves as a candidate for any LESPA office. An active member may also be nominated for an office by another member with approval of the active member. The office of president-elect shall serve a term of nine years – three years as president-elect, three years as president and three years as immediate past-president. The office of secretary shall serve a term of three years. The office of treasurer shall serve a term of three years. The office of Director shall serve a term of three years beginning May 1 following their election.

- B. The Terms for all Executive Officers shall be three years and each Executive Officer can serve up to (3), three years terms in office. The office of Area Director shall serve a term of three years beginning May 1 following their election.
The President, Vice President and half of the Area Directors shall be elected every three years in odd numbered years, with the other half of the Area Directors, Secretary and Treasurer being elected in even numbered years.

Section 4 – Succession and Vacancies:

Vacancies occurring by reason of death, resignation, incapacity, or other disqualification, shall be filled as follows:

- A. A vacancy in the office of the President shall be filled by the Vice President.
- B. Should the Vice President be unable to serve in this office, the Executive Board shall direct the Elections Committee to hold an election to complete the elected term.
- C. Should a vacancy occur in the office of the Vice President, Secretary, Treasurer, or Director, the Executive Board shall select a member of the Board to serve in the vacant office pro tempore until the General Assembly elects a person to fill the unexpired portion of the term of the vacant office, with the exception that whenever the office of the President becomes vacant between elections, the Vice President shall serve as President pro-tempore until the General Assembly elects a person to fill the unexpired term of the office of President. The election shall be held sixty (60) days from the date of when the office becomes vacant. In the event that the unexpired portion of the term for the vacant office is eight (8) months or less, the individual serving pro tempore shall serve the balance of the term.

Section 5 – Recall:

Whenever a majority of the Board of Directors shall agree that an officer has been grossly negligent of their duties as defined in the Bylaws, or is incapacitated, they shall recommend to the Representative Assembly that the office be declared vacant. If the Assembly so votes by a two-thirds majority, it shall immediately elect a replacement to fill the unexpired term.

ARTICLE IX – POWER AND DUTIES OF EXECUTIVE OFFICERS

Section 1 – President:

The President of LESPA shall:

- A. Preside at all meetings of LESPA and the Executive Board;
- B. Appoint the Chairperson, Chief Negotiator, and members of standing committees and special committees with the approval of the Executive Board;
- C. Serve as an ex-officio member of all standing committees.
- D. Assist the Treasurer in preparing a preliminary budget to be presented to the Executive Board;
- E. Prepare the agenda for the Executive Board;

- F. Serve as the chief executive officer of LESPA and shall be the official spokesperson for LESPA unless he/she delegates such authority to someone else;
- G. Serve as a representative to the Service Unit Council;
- H. Perform other functions usually attributed to the office that are not specified herein;
- I. At the conclusion of the term of office all records in their possession shall be presented to the incoming officer on or before May 1st.

Section 2 – Vice President:

The Vice President of LESPA shall:

- A. Assume the duties of the president in his/her absence;
- B. Serve as an ex-officio member of all standing committees;
- C. Serve as Chairperson of the membership Committee and maintain an up to date roster of all LESPA members;
- D. Perform such other duties as may be designated by the President;
- E. Serve as a representative to the Service Unit Council;
- F. At the conclusion of their term of office all records in their possession shall be presented to the incoming officer on or before May 1st.

Section 3 – Secretary:

The Secretary of LESPA shall:

- A. Keep the minutes of all Executive Board, Representative Council and general membership meetings. Provide written copies to each respective body within at least two (2) weeks of meeting;
- B. Perform other duties as may be assigned by the President or the Executive Board.
- C. In the absence of the Treasurer co-sign with the President all checks of LESPA.
- D. At the conclusion of their term of office all records in their possession shall be presented to the incoming officer on or before May 1st.

Section 4– Treasurer:

The Treasurer of LESPA shall:

- A. Receive all income for LESPA and shall make disbursements authorized by the approved annual budget or the President;
- B. Co-sign with the President all checks of LESPA;
- C. Keep accurate and current financial records of all receipts and disbursements;
- D. Report the financial status of LESPA at each Executive Board and General Membership meeting;
- E. Maintain an accurate record of all members paying dues;
- F. Assist the President in preparing a preliminary budget;
- G. Transmit dues to the State and National affiliates;

- H. Make the financial records of LESPA available to an auditing committee upon request;
- I. At the conclusion of the term of office all records in their possession shall be presented to the incoming officer on or before May 1st.

Section 6 – Parliamentarian:

The Parliamentarian of LESPA shall:

- A. Function in an advisory capacity to the presiding officer and members of LESPA on points of parliamentary law; Shall advise LESPA concerning rules to be followed in conducting business and make every effort to be well informed and to have available information concerning such procedures as needed;**
- B. The Parliamentarian shall serve as Chairperson of the Constitution and By-laws Committee;**
- C. At the conclusion of their term of office all records in their possession shall be presented to the incoming officer on or before May 1st.**

Section 7– Directors:

The Directors of LESPA shall:

- A. Be responsible for representing and communicating the concerns and needs of the members in their respective job classification;
- B. Assist LESPA officers in implementing the total LESPA program;
- C. Serve on committees as directed by the President;
- D. At the conclusion of the term of office all records in their possession shall be presented to the incoming officer on or before May 1st.

Section 8– Representative Council Chair:

The Representative Council Chair of LESPA shall:

- A. Preside at all Representative Council Meetings;
- B. Prepare an agenda for the Representative Council Meetings;
- C. Oversee the election of LESPA site Representatives within the schools and departments;
- D. Inform members of the Representative Council on pertinent issues of LESPA through regular communications and distribution of LESPA materials;
- E. Represent and communicate the concerns and needs of the Representative Council at the Executive Board and general membership meetings;
- F. Perform other functions usually attributed to the Chair that are not specific within;
- G. At the conclusion of their term of office all records in their possession shall be presented to the incoming officer on or before May 1st.

ARTICLE X – AMENDMENTS

Section 1:

Amendments to this Constitution may be made at a regular general membership meeting of the Association by a two-thirds (2/3) vote by printed balloting of the membership.

Section 2:

Proposed amendment shall go before the Executive Board prior to being published and distributed to all members. At least fifteen (15) days notice shall be given prior to the proposed date of the vote.

LEON EDUCATIONAL STAFF PROFESSIONAL ASSOCIATION

BY-LAWS

ARTICLE 1 – MEETINGS

Section 1 – General Membership Meetings:

The President or the Executive Board shall call general membership meetings as needed or requested. However, there shall be at least two (2) general membership meetings each school year.

Section 2 – Notification:

Notification of meetings should be at least two (2) weeks in advance unless there is an emergency. Agenda topics for discussion must be submitted to the Secretary at least ten (10) days prior to the meeting.

ARTICLE II – QUORUM

Section 1:

A quorum shall consist of ten percent (10%) of the current membership.

Section 2:

The majority (25%) of the members of the Executive Board, Representative Council or any committee of LESPA shall constitute a quorum at their respective meetings.

Section 3:

All business conducted at all LESPA meetings will be by majority vote (50%+1) of the members present.

ARTICLE III – DUES

Section 1:

Local dues for members of LESPA shall be recommended by the President and the Executive Board, and voted by the general membership at a meeting called for such purpose prior to the beginning of the membership year.

Section 2:

Dues for the Service Unit Council, State, and National Associations shall be those established by the respective governing bodies.

ARTICLE IV – POWER AND DUTIES OF THE EXECUTIVE BOARD

Section 1:

Upon the Executive Board shall rest, in the interim of regular meetings of the general membership, the duties, responsibilities and authority for LESPA in all matters, except as stated in the Constitution and By-laws.

ARTICLE V – POWER AND DUTIES OF THE REPRESENTATIVE COUNCIL

Section 1 – The members of the Representative Council shall:

- A. Represent the members of his/her school or department at all meetings of the Representative Council;
- B. Keep members within his/her school or department informed about pertinent matters of LESPA through regular communications and distribution of LESPA materials;
- C. Conduct the election of LESPA Representative(s) within his/her school or department;
- D. Conduct the membership drive in his/her school or department;
- E. Perform other duties as may be assigned by the Representative Council Chair or President;
- F. Meet with the members at their work site prior to each Representative Council meeting in order to fully represent their needs and desires.

ARTICLE VI – COMMITTEES

Section 1: Creation

There shall be Standing Committees as titled and described in Section 5 of this Article.

Section 2: Terms and Structure

- A. The terms of Standing Committees shall be no longer than the term of the President appointing them, except as may be provided in Section 5 below.
- B. Standing Committees shall not have fewer than three (3) members, in addition to the chairperson.
- C. Standing Committees may recommend that the President appoint specific sub-committees as needed. Sub-committees consisting only of members of the Standing Committee may be appointed by the Chairperson.

Section 3: Meetings

Standing Committees shall meet at least once to establish their charge(s) as directed by the President and as frequently as necessary to perform their functions. Special meetings may be called by the President, Chairperson, or a majority of the committee members.

Section 4: Records and Reports

- A. Each Standing Committee shall maintain a file of records of its affairs.
- B. Each Standing Committee shall report its affairs at each regular meeting of the Representative Assembly and, upon request, to the President and the Executive Board.

Section 5: Titles and Functions

- A. Each Standing Committee shall perform such functions as specified in these Bylaws or as determined by the President, the Executive Board, or the General Assembly not in conflict with the Constitution and Bylaws.
- B. The Membership Committee shall:
 - 1. Organize and conduct an on-going membership recruitment program among non-members with emphasis upon new employee enrollment at the beginning of each year.
 - 2. Develop and conduct programs at the beginning of each semester for orientation of new employees to the Association, the school system, and the community.
 - 3. Organize such social affairs as may serve the needs of the members.
 - 4. Provide such services to members as approved by the Executive Board.
- C. The Legislative Committee shall:
 - 1. Have broad concern for local, state, and federal legislation affecting the interests of schools, students, teachers, and the Association.
 - 2. Encourage members to exercise their civic and political rights and keep them informed about proposed and enacted legislation.
 - 3. Study and recommend Association positions on pending state and federal legislation.
 - 4. Organize and promote activities in support of Association positions on legislation.
 - 5. Distribute, collect, and tally a poll of the members of the Association at least two (2) weeks prior to any public election to determine membership preference. Recommendations of the committee, the Executive Board, and the Representative Assembly may be reflected in the polling device.

D. The Negotiations Committee shall:

1. Develop within a Master Contract salary and fringe benefits and other economic benefits, hours, and working conditions and all matters affecting instruction to be negotiated with the Board of Education.
2. Initiate study and compile data for support of such positions in negotiations.
3. Negotiate with the Board of Education all terms and conditions of employment included in the Master Contract.
4. Upon reaching tentative agreement with the Board of Education on all matters of negotiations, the committee shall prepare and submit its report and recommendations to the members of the Association for ratification.
5. The procedures for ratifying the negotiation agreement shall be developed by the Executive Board prior to negotiation.

E. The Public Relations Committee shall:

1. Be responsible for the publication of the monthly newsletter.
2. Assist in the publication of negotiation and legislation bulletins.
3. Work to inform members of the policies, programs, services, and accomplishments of the Association.
4. Seek to develop public understanding of the purposes and programs of the Association, the values of public education, and in cooperation with the Administration, the education philosophy and programs of the schools.
5. Develop procedures by which the Association can work cooperatively with parents and public citizens in civic, fraternal, and social organizations.
6. Keep the news media informed as to the policies, programs, and accomplishments of the Association.

F. The Grievance Committee shall:

1. Represent the best interests of the Association as the advocate of members in protecting employee rights.
2. Represent members and the Association in the processing of grievances defined in the master agreement with the Board of Education.
3. Advise and represent members in protecting their rights under the laws of the State of Florida and the United States.
4. Make recommendations to appropriate bodies for the improvement and strengthening of employee rights.
5. Make recommendations through the President to the Executive Board for approval regarding any grievances that may be submitted to arbitration or other member defense cases that may be taken to a court of competent jurisdiction. Request aid through the President, when appropriate, from state and national affiliates in dealing with controversies and conflicts regarding employee rights and the defense of members of the Association.

G. The Constitution and Bylaws Committee shall:

1. Have the responsibility for processing proposals for Constitution and Bylaws changes as provided in Article XII of the Constitution and Article VII of the Bylaws.
2. Recommend amendments to the Board of Directors.
3. Render, upon request, advisory opinions involving interpretation of the Constitution and Bylaws.
 1. The Committee on Constitution and Bylaws shall review all campaign finance reports and shall report to the Elections Committee prior to the elections whether any candidate has violated the stipulations of these Standing Rules. Any violation by a candidate shall be reported to the Elections Committee by the Constitution and Bylaws with a recommendation, approved by majority vote of the Board of Directors, to disqualify the candidate.

ARTICLE VII – ELECTIONS

Section 1:

The Election Committee shall establish an election procedure which guarantees that all elections shall provide for open nominations, secret ballot procedures, prohibition of the use of union or employer funds in an election campaign and preservation of ballots and ratification votes for at least three (3) years.

Section 2:

Election of LESPA officers shall be conducted no earlier than April 1 and not later than April 15 of each year.

Section 3:

Election of LESPA delegates to the Florida Education Association Delegate Assembly and the NEA Representative Assembly shall be conducted no later than February 28 of each year. The President is an automatic delegate to the FEA Delegate Assembly in accordance with the FEA Constitution and By-Laws.

Section 4:

The Florida Education Association's Summer Leadership Conference shall be attended by current elected Officers and the Representative Council Chair.