

**EDUCATION
SUPPORT
EMPLOYEES
ASSOCIATION**

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ARTICLE I: NAME AND INCORPORATION

The name of this Association shall be the Education Support Employees Association of Clark County, hereinafter referred to as ESEA or the Association.

ARTICLE II: PURPOSE

The purpose of the Association shall be to:

- A. Promote the general welfare and to improve and safeguard the terms and conditions of employment of all support professionals in the CCSD.
- B. To represent all members in bargaining and all other matters relating to terms and conditions of employment in the Clark County School District.
- C. To promote and enhance public education.

ARTICLE III: MEMBERSHIP

Section 1 Classes of Membership

The members of the Association shall be divided into two classes: Active and Retired.

A. Active Members

- 1. Active membership shall be open to any person who:
 - a. Is an elected full-time release officer of ESEA/NSEA/NEA.
 - b. Is an Education Support Professional of the Clark County School District and who meets the active membership requirements of the Nevada State Education Association and the National Education Association, and who upon payment of dues as herein provided, may become active members of this Association with full and equal rights and privileges of membership.
 - c. Is a member of any bargaining unit for which the Association is the designated representative; or member of any bargaining unit for which the Association is seeking representation under the applicable laws.
 - d. Is a regular Education Support Professional of the Clark County School District who is on an approved leave of absence from the district.

Active membership is the only class authorized to hold elective office, to vote, or otherwise represent the Association.

B. Retired Membership

- A. Retired membership shall be open to any retired employee of any school district. Retired membership is limited to persons who support the purposes and programs of the Association and its affiliates.
- B. Retired members shall maintain membership in the Nevada State Education Association and the National Education Association.
- C. Retired members shall have the right to hold appointive positions in the Association but, may not represent the Association.
- D. Such members shall be eligible to receive benefits and services of the Association as authorized by the Board of Directors.

C. Censure and Suspension

In accordance with the due process of law, a Tripartite Review Board, appointed by the President with the approval of the Executive Board, may recommend censure or suspension from active Association participation of any member who is in violation of the conditions as stated in the Code of Ethics Addendum. This recommendation will be made to the ESEA Executive Board, whose decision shall be final and binding.

Section 2 Membership Year

The membership year shall be September 1 to August 31.

Section 3 Enrollment/Resignation/Revocation of Privileges

- A. Membership begins when an applicant signs a payroll deduction form for membership in the Association and gives that application to an agent of the Association. If the applicant elects to be a cash-paying member, membership becomes effective when the Association receives the appropriate dues and a completed membership application form.
- B. A member who desires to drop their membership from ESEA, NSEA, NEA is required to:
 - 1. Come to the ESEA office between July 1-15th during regular business days, within normal business hours;
 - 2. Bring a signed and dated letter stating that the member is dropping their membership;
 - 3. Provide a photo ID for proof of membership;

A membership drop is accepted only in person. No membership drops will be processed by any other means.

C. In accordance with the due process of law, a Tripartite Review Board appointed by the President with the approval of the Executive Board, may recommend censure or suspension from active Association participation of any member, who is in violation of the conditions as stated in the Code of Ethics Addendum. This recommendation will be made to the ESEA Executive Board, whose decision shall be final and binding.

Section 4 Agency Fee Payers

Unless otherwise expressly provided by law, persons who tender agency shop fees shall have no rights or privileges with the Association.

Section 5 Conference/Meetings/Assemblies

Any funded elected, selected or appointed member; who attends any conference, meeting or assembly; shall be responsible for 90% (ninety percent) attendance at all scheduled events of said conference, meeting or assembly. If a member is found in violation, without reasonable cause and has not notified the Association President, the member will then refund to the Association a portion of the cost of the member's attendance. The refund is based on the proportion of time said member was not in attendance. Prior to attending said conference, meeting or assembly, the member shall sign an affidavit accepting these conditions.

The recommendation for a refund will be made to the ESEA Board of Directors, whose decision shall be final and binding.

ARTICLE IV: DUES, FEES AND ASSESSMENTS

Section 1 Dues/Fees

A. Association members and, if provided by law, agency shop fee payers shall pay dues/fees as a condition of membership.

1. Individual dues installments shall consist of three (3) tiers:

- dues set by and paid to the National Education Association
- dues set by and paid to the Nevada State Education Association
- local dues set by and paid to the ESEA

For employees working four (4) hours annual dues will be 50% of the total of the three (3) tiers.

Beginning September 1, 1998, local ESEA dues will be \$2.76, and will increase each year on the following September 1, by the percentage of salary increase realized in the previous year.

2. Dues deductions will be made as follows: 9-month employees, 20 equal installments; 10-month employees, 21 equal installments; 11-month employees, 22 equal installments; and 12-month employees, 24 equal installments.

3. The annual dues may be paid in full or by payroll deduction upon application for membership.
- B. Annual dues shall include local dues and dues of the state and national associations. Nevada State Education Association dues and National Education Association dues are determined by each individual governing assembly.
- C. Dues are non-refundable upon termination from district employment.
- D. Dues for Retired members shall be determined by the Board of Directors, in conjunction with the NSEA Board of Directors.

Section 2 Assessments

The Association may levy special assessments on members by a majority of the Association members voting at a general membership meeting.

ARTICLE V: OFFICERS

Section 1 Elected Officers

The elected officers of the Association shall consist of a President, Vice-President and Secretary/Treasurer, who shall be voting members of the Executive Board.

The officers shall be elected at-large by the general membership.

Section 2 Qualifications

Active membership must be held for at least two (2) years immediately preceding the nomination to qualify for the office of President, Vice-President and Secretary/Treasurer.

Section 3 Term of Office

- A. The term of office shall be three (3) years or until his/her successor is elected. The term of office will begin at the close of the NEA Representative Assembly in the year that the election has occurred.
- B. A person elected to any of the offices listed in Section 1 is eligible for two (2) consecutive terms and shall serve until a successor is elected.

No person may hold more than one ESEA elected office at any time.

- C. The election for Vice-President and Secretary/Treasurer will be held in the same year. The election for President will not be held in the same year as the election for Vice-President and Secretary/Treasurer.

Section 4 Nominations

Nominations of officers shall be announced at the Representative Council meeting no later than 90 days prior to that year's DA. Nominees from the floor shall be permitted at that meeting. Election of officers shall be held not less than fifteen (15) working days after that Representative Council meeting.

Section 5 Elections

All elections will be by secret ballot conducted by the Elections Committee. Election to office shall be by a majority of those casting valid ballots.

Section 6 Vacancies

A vacancy in the office of President shall be filled by the Vice-President. A vacancy shall be defined as ninety (90) consecutive calendar days of absence. After such, the office of President shall be declared vacant by the Executive Board. Any other office created by vacancy shall be filled from the Board of Directors by a majority vote of the officers and the Board of Directors.

Section 7 Duties of Officers

A. President: The President shall be the chief elected officer of the Association and its policy leader. The position of President shall be full-time release. A full-time release President is defined as an active member who is elected as the Association President, serving full time as President of the Association with no responsibilities for the job from which they are being released. Duties include, but are not limited to:

1. Assigning responsibility for a designee to act as spokesperson in the President's and Vice-President's absence or at the President's discretion.
2. Arranging for and scheduling all duly authorized meetings of the Association and its governing bodies.
3. Preparing the agenda and presiding at all meetings of the Board of Directors, Representative Council and General Membership.
4. Appointing, replacing, and/or removing chairpersons and members of all committees with the approval of the Board of Directors.
5. Preparing with the Secretary/Treasurer and Executive Director - ESEA an annual budget for submission to the Board of Directors.
6. Delegating duties to the Officers, Board of Directors, ESEA Executive Director, all Committees and through the Executive Director - ESEA to employed staff.
7. Countersigning checks as required.
8. Executing all authorized contracts and other written instruments.

9. Being a member or ex-officio member of all committees except the Elections Committee.
10. Performing such other duties as assigned by the Board of Directors and duties customarily assumed by the Chief Executive Officer of an Association.
11. Serving as a member of the Together in Politics (TIP) Coordinating Council of Clark County.
12. Serving as ESEA chairperson/delegate to the Nevada State Education Association Delegate Assembly and the National Education Association Representative Assembly.
13. Providing an annual/performance evaluation of the ESEA Executive Director, approved by the ESEA Board of Directors.
14. Serve as a member of the Nevada State Education Association's (NSEA) Board of Directors.

B. Vice-President: Duties include but are not limited to the following:

1. Assuming the duties of the President in his/her absence.
2. Succeeding to the Office of President as provided for in Section 6.
3. Countersigning checks as required.
4. Assuming such other duties as assigned by the President or the Board of Directors.
5. Coordinating meetings and activities of all committees.
6. Serving as a delegate to the Nevada State Education Association Delegate Assembly and the National Education Association Representative Assembly.
7. Attending all Representative Council and General Membership meetings unless excused by the President.
8. Acting as Chair of the Membership Committee.

C. Secretary/Treasurer: Duties include but are not limited to the following:

1. Advising and assisting the President and Executive Director - ESEA in preparing the budget and submitting it to the Board of Directors.
2. Preparing and submitting accurate records and minutes of all meetings of the Board of Directors, Representative Council, and General Membership.
3. Countersigning checks as required.

4. Submitting a monthly financial statement to be distributed to the Board of Directors and Representative Council.
5. Submitting the Board of Directors' proposed budget to the Representative Council for adoption in May.
6. Performing other duties as assigned by the President or Board of Directors.
7. Serving as a delegate to the Nevada State Education Association Delegate Assembly and the National Education Association Representative Assembly.
8. Attending all Representative Council and General Membership meetings unless excused by the President.
9. Acting as Chair of the Budget Committee.

Section 8 Stipends/Expenses

- A. The President's salary and benefits will be paid as specified in the CCSD/ESEA Negotiated Agreement.
- B. The Vice President and Secretary/Treasurer shall be paid a monthly stipend as authorized by the general membership.
- C. Reimbursement for expenses shall be as set forth in policy and procedures adopted by the Board of Directors.

Section 9 Bonding

The President, Vice-President and Secretary/Treasurer shall be bonded by the Association.

Section 10 Meetings

- A. The Board of Directors shall meet a minimum of ten (10) times a school year.
- B. Special meetings may be called by the President or by petition of three (3) or more members of the Board of Directors.
- C. A majority of the Board of Directors shall constitute a quorum for the purpose of doing business.
- D. When a member of the Board of Directors is absent from two (2) Board meetings in any six-month period without being excused by the President, that position shall be declared vacant and filled in accordance with provisions of these Bylaws.
- E. Items may be added to the Board Meeting Agenda by a petition of a member or members to the President or Executive Director.

ARTICLE VI: BOARD OF DIRECTORS

Section 1 Composition

The Board of Directors shall include the officers, as elected in accordance with Article V, Section 5, and the Directors selected by each of the following constituency groups on the one-person, one-vote principle, open nominations and secret ballot procedures:

**Clerical
Food Service
Operations
Paraprofessional
Health Occupations/Security
Skilled Trades
Technical
Transportation**

Section 2 Qualifications

Active membership must be held for at least two (2) years immediately preceding the nomination to qualify for Board of Directors.

Section 3 Term of Office

- A. The term of office for a Director shall be three (3) years or until a successor is elected.
- B. A Director may not serve more than two (2) consecutive elected terms, including over one-half (1/2) of an appointed term to fill a vacancy, from the same area or employment level.
- C. Including the Officers elected in accordance with Article V, Section 5, no fewer than five (5) and no more than six (6) Directors will stand for election in any year in which Directors are being elected.
- D. D. The term of office for Director shall begin with the first Board of Directors' meeting following the conclusion of the Representative Assembly in the year that the election for that Board of Director member occurred.

Section 4 Nominations

Nominations of Board of Directors shall be announced at the Representative Council meeting no later than 90 days prior to that year's DA. Nominees from the floor shall be permitted at that meeting. Election of officers shall be held not less than fifteen (15) working days after that Representative Council meeting.

Section 5 Elections

- A. Directors shall be elected on an at-large basis by the membership from within the corresponding constituency. Each group shall make every reasonable effort to elect ethnic-minority representation

at least proportionate to its ethnic-minority membership.

- B. The Directors from each of the groups shall be elected from the active Association members in the group to be represented. The election shall take place in a timely manner with regards to the current year's Delegate Assembly concurrent with the election of officers.
- C. If the Board of Directors does not have ethnic-minority representation proportional to the total ethnic-minority membership of the Association, the Board of Directors shall call a special election for the purpose of electing ethnic-minority member(s) at-large to bring the Board of Directors into compliance.

Section 6 Vacancies

- A. Except that of President, vacancies on the Board of Directors shall be filled by appointment by the Association President, and approval of the Board, from the job family to be represented. This appointment will remain in effect until the next regular election for the office.
- B. At the conclusion of the term, the person appointed would then be free to run for the election in the normal manner and for the number of terms specified by the Bylaws, pursuant to Article VI, Section 3 B.

Section 7 Duties

- A. The Board of Directors shall be responsible for the general management of the Association. Its duties shall include, but are not limited to, the following:
 - 1. Submitting a Board-approved budget for the Association to the Representative Council for adoption in May.
 - 2. Implementing motions and resolutions made and approved by the membership.
- B. Making motion and resolution, putting into operation other measures consistent with these Bylaws and Policies of the Association.
- C. Setting the time and place and making all necessary arrangements for annual and special meetings of the members.
- D. Approving the appointment and discharge of all committees and/or committee members. Reviewing the activities of all committees and creating special committees.
- E. Approving guidelines for and having final authority over the disbursement of all monies.
- F. Approving and presenting General Election Procedures.
- G. Attending all Representative Council and General Membership meetings unless excused by the President.

H. Serving as Board Liaisons to committees, both standing and special.

Section 8 Stipends/Expenses

A. Directors shall be paid a per Board meeting stipend.

B. Reimbursement for expenses shall be as set forth in policy and procedures adopted by the Board of Directors.

Section 9 Voting

A. A per-member represented, weighted vote may be applied in any decision, including adoption of an emergency policy, if a member of the Board of Directors requests, prior to voting on the motion, that the weighted vote be used.

B. Members of the Board of Directors must be present to vote and shall have one vote unless any other member of the Board asks that the weighted vote be used.

C. Weighted voting may be used under the following conditions:

1. Weighted voting shall not be used as a means for achieving the one-person, one-vote standard on the Board.

2. Officers shall be granted one vote each whenever the weighted vote is called.

D. The proportionate vote for each job family shall be based upon the official paid membership records as of February 1 and shall be allocated at one vote for every two hundred (200) paid members or a major fraction thereof. The President shall notify each Director and elected officer of the official count and per-member value of his/her proportionate vote at the first Board meeting following February 1.

Section 10 Meetings

A. The Board of Directors shall meet a minimum of ten (10) times per school year.

B. Special meetings may be called by the President or by petition of three (3) or more members of the Board of Directors.

C. A majority of the Board of Directors shall constitute a quorum for the purpose of doing business.

D. When a member of the Board of Directors is absent from two (2) Board meetings in any six-month period without being excused by the President, that position shall be declared vacant and filled in accordance with the provisions of these Bylaws.

E. Items may be added to the Board Meeting Agenda by petition of a member or members to the President or Executive Director.

ARTICLE VII: IMPEACHMENT

- A. Elected officers of the Association may be impeached for violation of the provisions of the Bylaws, for misfeasance, for malfeasance, or for nonfeasance in office.
- B. Impeachment proceedings against an elected officer shall be initiated by written petition submitted to the Board of Directors by at least thirty-three percent (33%) of the number of the Association's active members at the close of the fiscal year immediately preceding the year in which the petition is filed.
- C. If, after a due process hearing, a two-thirds ($\frac{2}{3}$) vote of the Board of Directors shall sustain the charge, the office shall become vacant.

ARTICLE VIII: RECALL

Section 1 Grounds for Recall

Any Director may be recalled for a violation of the provisions of these Bylaws, for misfeasance, for malfeasance, or for nonfeasance in office.

Section 2 Recall Procedures

- A. Recall procedures shall be initiated by the filing of a Recall Petition with the Executive Director - ESEA. The Recall Petition shall contain:
 - 1. A statement of the specific charges giving rise to the recall.
 - 2. The signature of at least twenty-five percent (25%) of the number of the Association's active members within the Electing Group as of the close of the fiscal year immediately preceding the year in which the petition is filed.
- B. The Executive Director - ESEA shall determine whether the recall petition complies with the Association's filing requirements. If it does, the Executive Director - ESEA shall send a copy of the recall petition, including any documents filed in support thereof, to the Director named in the petition. If the Director contends that the attempted recall is based upon actions taken by him/her in support of the Bylaws and/or established policies of the Association, the Nevada State Education Association or the National Education Association, he/she may request a review by the Board of Directors. This review must be requested in writing within 20 working days of the Director's notification. If two-thirds ($\frac{2}{3}$) of the Board of Directors sustains the contention of the Director, the recall petition shall be dismissed. If the Board of Directors fails to sustain the contention of the Director, or if a request for a review is not made, the Executive Director - ESEA shall direct the relevant job family to conduct a recall election.
- C. A recall election shall be conducted in accordance with rules of procedure adopted by the Association's Board of Directors, provided that:

1. All the Association's active members in that job family as of the date of the recall election shall be eligible to vote;
 2. The recall election shall be by secret ballot; and,
 3. Two-thirds ($\frac{2}{3}$) of the valid ballots cast shall be required for a recall.
- D. The pendency of recall proceedings shall have no effect upon the right of the Director to function as a member of the Association's Board of Directors. If a Director is recalled, the resulting vacancy shall be filled pursuant to Section 5: Vacancies, of Article VI, provided that the recalled Director shall not be eligible for appointment to the vacancy or such other vacancy as may occur in a Director position from that job family. The recall of a Director shall not disqualify him/her from subsequent election to the Association's Board of Directors or other Association office(s), nor shall it in any other way affect his/her rights as a member of the Association, with a limit of 3 consecutive elected terms as described in Article VI Section 4B.
- E. If a recall petition is filed when there is a pending Association disciplinary proceeding against the Director which could result in his/her removal from the Association's Board of Directors, the processing of the recall petition shall be stayed until the disciplinary proceeding is concluded.
- F. The Association's Board of Directors shall adopt rules of procedure to implement the provisions of this Bylaw.

ARTICLE IX: REPRESENTATIVE COUNCIL

Section 1 Representative Council

The legislative and policy-forming body of the Association shall be the Representative Council. The Representative Council shall at all times be constituted on the one-representative one-vote principle.

The Representative Council shall consist of: Representatives or Association Stewards from work sites as defined and allotted in this article; and ESEA officers and Board of Directors.

Each work site recognized as a separate entity by the Representative Council shall be allowed at least one (1) representative. One representative for each twenty-five members or fraction thereof shall be allowed to each work site.

Representatives and alternates shall be elected for a one year term by the members of the work site no later than the first Representative Council meeting in September. A Representative must be a member of ESEA. The election at each work site shall have open nominations and secret ballot. Results of the elections shall be reported in writing to the ESEA office no later than five (5) working days after the election. Vacancies of representatives shall be filled for the unexpired terms, as they occur, by the elected alternates of the affected work site, or by a special election at that work site. If a work site fails to choose any representative(s) by the October Board of Directors meeting, the President shall have the authority to appoint one representative(s) from that site.

Association Stewards shall be elected in the same manner as Association Representatives or appointed by the President with recommendation having been made by the Board of Directors, Executive Directors or Representative Council.

Section 2 Duties of the Representative Council

The Representative Council shall approve the budget, act on reports of the committees, and approve resolutions and other policy statements. Any duty not specifically given to another group in the Association shall be vested in the Representative Council. Members of the Representative Council absent from more than two meetings without sufficient cause shall have their office declared vacant by the President. Offices of Association Representatives represented by an alternate shall not be considered vacant.

Section 3 Duties of Association Representatives to the Representative Council

Each Association Representative or Senior Association Representative (at sites with more than one representative, the representatives shall choose one of their members to serve as Senior Representative), as chairperson, shall call work site meetings of the Association members to discuss Association business, and shall appoint such local site committee members as the Association may require. All site Representatives shall:

- A. Attend all regular and special meetings of the Representative Council.
- B. Prior to the Representative Council meeting, poll membership on appropriate issues.
- C. Represent and report the activities of the Representative Council meetings at each work site. If meetings cannot be scheduled, Representatives shall distribute written memoranda to all members in the work site to inform them of Association activities.
- D. Post bulletins and distribute materials for ESEA, NSEA, and NEA.
- E. Maintain files for professional materials such as the ESEA minutes and other important ESEA materials.
- F. Send the elected alternate, if unable to attend a meeting.
- G. Assist the Elections Committee in conducting the election in their work site by:
 - 1. Making members aware of elections and elections rules,
 - 2. Orient new members at their work site to the purposes and functions of the Association,
 - 3. Complete any other appropriate duty which might be assigned by the Representative Council and / or the President.

Any work site with more than one site Representative should divide their ESEA membership into groups of approximately twenty-five (25) members and assign responsibility for one group to each site Representative.

Section 4 Duties of Association Stewards

A. Skills and Qualifications

The skills and qualifications necessary for success in the position are (1) utilization of effective leadership skills; (2) a commitment to enthusiasm and personal determination in acquiring the information and skills needed to be effective in the representation of bargaining unit members; (3) being a good listener with a creative mind, (4) be a member of the ESEA bargaining unit; (5) attend all ESEA Association Stewards trainings; (6) attend all Site Representative meetings; (7) be an advocate for the member; (8) be a good communicator and (9) support ESEA.

B. Duties and Responsibilities

1. **Communication:** Serve as a communication link between employees in their respective job family and the ESEA officers and/or Site Representatives (where applicable). Association Stewards should work in conjunction with the site Representatives on site communications. In addition, Association Stewards should (1) become familiar with the collective bargaining agreement and inform employees of their rights; (2) learn about state and federal laws as they apply to employees' jobs rights; (3) represent employees in work-related grievances or concerns; (4) investigate and provide answers to employees' questions or concerns; (5) refer employees to other ESEA resources as needed; (6) work in conjunction with the ESEA President, ESEA Executive Board and the ESEA staff on union matters.
2. **Organizing:** Assist the ESEA (Local), the NSEA (State) and the NEA (National) organizations where needed to further strengthen ESEA as a labor organization. This includes (1) attending Site Representative meetings; (2) holding informative meetings; (3) provide input to the negotiating team regarding the collective bargaining agreement; (4) attending ESEA/NSEA/NEA activities (where applicable) (5) attending civic and/or political activities within the District, the ESEA, the NSEA, and the NEA; (6) visiting and building relationships with employees within the bargaining unit.
3. **Leadership:** Association Stewards provide leadership to the workers, guiding the membership through the policies set forth by ESEA/NSEA/NEA and in working towards the goals of the ESEA/NSEA/NEA. Association Stewards will serve as examples to the membership by bringing dignity to the workers through their Union. The successful resolution of disputes (grievances, member concerns, and member complaints) will largely be determined by how the Association Stewards handle grievances, assist his/her fellow workers, use leadership skills, and establish positive relationships with both the workers and the management of the District. The Association Stewards is a vital link in developing Union loyalty. The Association Stewards is often seen as "The Union".
4. **Political Action:** At times, the Association Steward will work on political action campaigns that have a direct impact on public education and public employee jobs.

5. **Counselor/Advisor:** Aggrieved employees appreciate knowing the obstacles that stand in their way of a successful resolution to the problem at hand. The Association Steward must ensure the confidentiality of an individual member's grievance or dispute. In the counselor/advisor role, the Association Steward will be asked to process problems that have nothing to do with a violation of the contract. The Association Steward will need to separate grievances from complaints and/or unrest and refer non-contractual issues as appropriate.
6. **Educator:** Association Stewards are also teachers, teaching the bargaining unit members the intent of the contract language and how to enforce the contract. Enforcement is the responsibility of every union member, the Association Steward, the union officers and the union staff.
7. **Fact Finder:** The Association Steward is a finder of fact, an advocate, and a problem solver. The Association Steward keeps unit members informed of their rights.
8. **Coordinators:** Site Representatives are the grassroots communication link between the site members and the union leadership. Often, it may appear that the Association Steward duties overlap with the Site Representative duties. It is important for Association Stewards to know who the Site Representatives are at the work sites and what their duties are so that they can coordinate their efforts and better represent the membership. (ESEA policies, constitution and bylaws outline the duties of Site Representatives). The Association Steward may be asked to coordinate activities of members involved in grievances, give reports at executive board meetings and/or write articles for the ESEA newsletter.

C. Human Resources:

1. **ESEA President:** The ESEA President is available for site visits and attendance at various ESEA meetings in which the Association Steward may feel necessary. The ESEA President serves as a resource and historian to the Association Steward and must be kept abreast of all grievances and resolutions to those grievances.
2. **ESEA Executive Director:** The Association Steward will interact with the ESEA Executive Director at various trainings, functions, and meetings. Like the UniServ Director(s), the ESEA Executive Director may be a technical resource for the Association Steward on representational matters.
3. **UniServ Directors:** The UniServ Director(s) are the Association Steward's technical resource on representational matters. UniServ Directors will also assist new Association Steward's in the processing of member grievances, complaints, and concerns until the Association Steward is ready to handle grievances and problems on his/her own.

D. Stipend/Accountability:

1. Conditions of acceptance of nomination, election, and/or appointment will include a pledge that Association Stewards will fulfill the expectations as outlined in this job description. In

addition, the Association Stewards will develop a system for monitoring accountability of the Association Stewards in order that member rights are protected and insured. Association Stewards will be provided a "return of dues" as a stipend for assuming the duties and responsibilities of the Association Steward. Therefore, all Association Stewards will have their full dues refunded by the ESEA. Association Stewards will be expected to maintain all expectations outlined in this job description. Association Stewards not maintaining the criteria as outlined in this job description will be removed from their position and dues payment will be reinstated.

Section 5 Representative Council Meetings

The Representative Council shall meet on the second Wednesday of each month or at a date set by the Board of Directors. The President, assisted by the Board of Directors, shall prepare the agenda for each meeting and shall notify all members of the Council in advance of the next Council meeting.

Meetings restricted to members of the Representative Council may be called at the discretion of the President and with the approval of the Representative Council.

Any member of the Association, who is not a member of the Representative Council may attend its regular meetings, as a non-voting member and may speak with the permission of the Council.

Special meetings of the Representative Council may be held at the call of the President or upon written request to the Board of Directors from five site Representatives. Business to come before special meetings must be stated in the request. Notification of special meetings shall be sent in writing to each representative.

A quorum for Representative Council shall be defined as twenty-five (25) members in attendance including both Board of Directors and Representative Council members.

ARTICLE X: COMMITTEES

Section 1 Standing Committees

The standing Committees of the Association are appointed by the President and approved by the Board of Directors with the exception of the Bylaws Committee. Each committee will have no less than five (5) members, with at least three (3) defined as a quorum.

- A. Awards Committee:** This committee shall research and recommend award nominees to the Board of Directors for those members who should be recognized for demonstrating outstanding accomplishments in service to the Association and its members.
- B. Budget and Finance Committee:** This committee shall prepare the annual operating budget and present it to the Board of Directors. The Secretary/Treasurer shall be Chair of the committee.
- C. Employee Rights Committee:** This committee shall be responsible to recommend Association policies and programs designed to advance, maintain and protect the human and civil rights of all members of the Association. Every reasonable effort shall be made to have this committee reflect

ethnic-minority representation at least proportionate to the Association's ethnic-minority membership.

- D. Government Relations Committee:** This committee shall review, analyze and monitor legislation which would affect support employees. The committee shall be responsible to recommend Association policies and programs to secure and maintain legislation in support of public education, collective bargaining, retirement and other matters as approved and directed by the Board of Directors and the general membership. Representation and lobbying on behalf of the Association shall be as directed by the Board of Directors.
- E. Membership Committee:** This committee shall be responsible for member recruitment and for recommending functions for continuing membership recognition. The Vice-President shall be Chair of the committee.
- F. Minority Affairs Committee:** This committee shall identify concerns and activities to strengthen multi-cultural awareness.
- G. Negotiations Committee:** This committee shall assist the negotiating team, as requested, in negotiations, research and organizing efforts.
- H. Elections Committee:** This committee shall be responsible for the conduct of elections and any other items on which votes are taken by secret ballot(s).
- I. Professional Development Committee:** This committee shall identify, recommend, and implement professional development programs for members.
- J. Public Relations Committee:** This committee shall promote education support professionals and public education in all forms of media.
- K. Scholarship Committee:** This committee shall interview and recommend to the Board of Directors those students meeting the scholarship criteria.
- L. Special Events Committee:** This committee shall recommend, plan and implement Special Events for the general membership of ESEA.
- M. Bylaws Committee:** This committee will be appointed by each officer and each director with the approval of the entire board.

In the interest of the Association, the President may combine and/or create committees as necessary.

Section 2 Term

Standing Committees shall serve concurrent with the term of the President.

Section 3 Reporting

All Standing Committees shall report to the Board of Directors and shall report at all general membership meetings as requested.

Section 4 Special Committees

Special Committees shall report to the Board of Directors, as requested, and shall report at all regularly scheduled general membership and Representative Council meetings.

Section 5 General

- A. Each committee will be given a specific charge by the President with the approval of the Board of Directors, setting forth the nature and scope of their activities.
- B. Each committee will serve under the direction of the Chair appointed by the President from among the members of the committee.
- C. Each committee shall adopt a calendar and procedures for the conduct of meetings and maintain adequate records of all activities.
- D. Records of the proceedings of each committee shall be filed at the ESEA office.

Section 6 Meetings

Standing Committees and Special Committees will meet, as required, at the call of the Chair.

When a member of a committee is absent from two (2) meetings in any six-month period without being excused by the committee's chair, that position shall be declared vacant and filled in accordance with the provisions of these Bylaws.

ARTICLE XI: GENERAL MEMBERSHIP MEETINGS

Section 1 General Meetings

There shall be at least two (2) meetings of the general membership one of which may be the Contract Ratification meeting. The date, time and location will be set by the Board of Directors and announced at least ten (10) working days in advance in publications of the Association or other means to assure timely notice. The agenda will be prepared by the President with the advice and consent of the Board of Directors and will be included with the notice of the meeting.

Section 2 Special Meetings

- A. Special meetings of the general membership may be called by majority of the Board of Directors or upon written petition of twenty-five percent (25%) of the active members based upon the membership role at the time of such petition.

- B. Members will be advised at least five (5) working days in advance of any special meeting. The notice will include the purpose for the special meeting. No other business may be transacted at a special meeting except that set forth in the announcement of the meeting.

Section 3 Motions/Voting

Only active members may attend, make motions, and vote at General and Special Membership Meetings. Photo identification for proof of membership may be required.

Section 4 Quorum

A quorum for General and Special Membership Meetings shall be fifty (50) active members including the Association officers and Board of Directors.

ARTICLE XII: EXECUTIVE DIRECTOR

Section 1 Executive Director

The Nevada State Education Association shall employ an Executive Director - ESEA who will be assigned to ESEA and who shall be the Association staff member with primary responsibility for supervision of staff and implementing the policies and programs of the Association. The Executive Director - ESEA shall work with the ESEA President and the Board of Directors and work under the general supervision of the NSEA Executive Director.

Section 2 Functions

The duties and functions of the Executive Director - ESEA shall be as determined by the ESEA President and Board of Directors with the NSEA Executive Director, who will reduce to writing a job description.

Section 3 Staff Principles

- A. The Association shall be an equal opportunity employer.
- B. The Association shall recognize the right of its employees to organize for the purpose of collective bargaining.

ARTICLE XIII: RATIFICATION OF AGREEMENT

Section 1 Ratification of Agreement

The President, Vice-President and the Chairperson of the bargaining team shall be authorized to sign a legal, binding agreement with the employing school board only after completion of the following procedures at a General Membership Meeting:

- A. An accurate, written digest of the proposed agreement or changes provided to all members in attendance at the ratification meeting.

- B. A report by the bargaining team, including but not limited to each bargaining team member's individual recommendation.
- C. A report by the Board of Directors, including but not limited to each Director's individual recommendation.
- D. A discussion by the members.
- E. A majority affirmative vote, by secret ballot.

Section 2 Notice of Meeting

Except in emergency situations, at least a five (5) working day written notice of the ratification meeting is required. The notice shall specify the date, time, place and purpose of the meeting, and shall include a summary of any proposed substantive changes to the contract.

ARTICLE XIV: PARLIAMENTARY AUTHORITY

"Robert's Rules of Order - Newly Revised" shall govern in all cases to which they are applicable and in which they are not inconsistent with the Bylaws.

ARTICLE XV: AMENDMENTS

Amendments to the Bylaws must be submitted for official publication five (5) working days prior to the general membership meeting at which they are to be considered. A majority vote of the active members present and voting by secret ballot, or as otherwise directed by the body, is required to amend the Bylaws. Amendments shall become effective immediately upon adoption, unless otherwise provided.

ARTICLE XVI: AFFILIATION

Section 1 State and National Affiliation

The Association shall affiliate with the National Education Association under its rules and the Nevada State Education Association under its rules.

Section 2 Representation

Representation at the Representative Assembly of the National Education Association and the Delegate Assembly of the Nevada State Education Association shall be a responsibility of officers and the Board of Directors.

A. Representative Assembly

1. Membership shall be informed annually and ballots shall state that nominations to the elected officer positions of the Association include nomination to the Representative Assembly.
2. Additional delegate allotment to the Representative Assembly shall be nominated and elected at the same time and by the same methods as all officers of the Association, following the National Education Association's rules and procedures.
3. A person's name must appear on a ballot in order to serve as a delegate or alternate delegate to the Representative Assembly of the National Education Association.

B. Delegate Assembly

1. Membership shall be informed annually and ballots shall state that nomination to officer positions of the Association includes nomination to the Delegate Assembly of the Nevada State Education Association.
2. Additional delegates allotted by the Nevada State Education Association, beyond the number of officers, shall be elected under the same procedures as officers following the rules established by the Nevada State Education Association.
3. The President shall appoint alternate delegates to the Delegate Assembly when vacancies exist after the election preceding the Delegate Assembly. A person's name must appear on a ballot in order to serve as a delegate or alternate delegate to the Delegate Assembly of the National Education Association.

C. NSEA Board of Directors

Association members of the Nevada State Education Association Board of Directors shall be elected following the rules established by the Nevada State Education Association.

ARTICLE XVII: ADDENDUM CODE OF ETHICS of the Education Profession **Preamble**

The education professional, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The education professional accepts the responsibility to adhere to the highest ethical standards.

The education professional recognizes the magnitude of the responsibility inherent in the education process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

Section 1 Commitment to the Student

The education professional strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the education professional --

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly --
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student.
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

Section 2 Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the education professional shall exert every effort to raise professional

standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education.

Section 3 Charges by Members Against Members

The following and no other shall constitute the basis for the filing of charges:

- _____ Violation of any provision of the Articles of Incorporation, Bylaws or Policies of the Association, the provisions of the constitution or bylaws of any district (local association), the provisions of any constitution or bylaws of any region of this Association, or the provisions of the Constitution of the National Education Association;
- _____ Violation of the Code of Ethics of the Education Profession;
- _____ Willful violation of a legally negotiated and approved professional negotiations master agreement;
- _____ Obtaining membership through fraud or misrepresentation;
- _____ Willfully interfering with any official of this Association, a district (local association), a region or the National Education Association in the discharge of his/her lawful duties;
- _____ Misappropriation, embezzlement or improper or illegal use of the funds of this Association, a district (local association), a region or the National Education Association;
- _____ Acting in collusion with management to the detriment of the welfare of the Association, a district (local association), a region or the National Education Association, or any of their membership;
- _____ Any activity which assists or is intended to assist a competing organization within the jurisdiction of this Association;
- _____ Using the name of the Association, a district (local association), a region or the National Education Association in an unauthorized manner or for an unauthorized purpose;
- _____ Conduct unbecoming a member or officer of this Association, a district (local association), a region or the National Education Association.

Archive Notes

Archive started with the release of the 2002-2003 Edition. All archived dated back to the 1998 edition.

Article IV Section 1 Dues/Fees Amended May 30, 1998
Article V Section 7 A.15 Amended May 30, 1998

Article V Section 7 B.7 Added September 19, 2001
Article V Section 7 C.8 Added September 19, 2001

Article II A Amended May 30, 2002
Article III Section 1 A 1 b Amended May 30, 2002
Article III Section 1 A 1 d Amended May 30, 2002
Article III Section 3 C Amended May 30, 2002
Article V Section 9 Added May 30, 2002
Article VI Section 2 Amended May 30, 2002
Article VI Section 3 Amended May 30, 2002
Article VI Section 4 Amended May 30, 2002
Article VI Section 5 Amended May 30, 2002
Article VI Section 6 Amended May 30, 2002
Article VI Section 7 Amended May 30, 2002

Article VI Section 7 Amended August 5, 2002
Article VI Section 8 Amended August 5, 2002
Article VI Section 9 Amended August 5, 2002
Article VI Section 10 Amended August 5, 2002
Article IX Amended August 5, 2002
Article IX (Association Stewards) Added August 5, 2002
Article X Section 1 J Amended August 5, 2002
Article X Section 1 M Amended August 5, 2002
Article X Section 4 Amended August 5, 2002
Article X Section 6 Amended August 5, 2002

Article III Section 5 (Conference/Meetings/Assemblies) Added February 5, 2005
Article IX Section 4 Amended February 5, 2005
Article V Section 7 Added Section 1 B 8 February 5, 2005
Article V Section 7 Added Section 1 C 9 February 5, 2005
Article X Section 1 B Amended February 5, 2005
Article X Section 1 E Amended February 5, 2005
Article V Section 1 Amended October 16, 2008
Article VI Section 1 Amended October 16, 2008
Article III Section 3 Amended June 13, 2012

Article V Section 3 A Amended December 12, 2017
Article VI Section 3 A Amended December 12, 2017
Article VI Section 3 C Amended December 12, 2017

Article V Section 6 Amended July 27, 2020