



GRANITE EDUCATION SUPPORT PROFESSIONALS ASSOCIATION

By-Laws 2011

Approved by Membership 7-6-2011
To take effect on August 1, 2011

PREAMBLE

We, the **Granite Education~~al~~ Support Professionals** of ~~the~~ Granite School District, in order to promote and protect the integrity of all members, facilitate the adoption of ethical standards of practice, insure the rights of members to speak with a common voice before all legal institutions and on matters pertaining to classified employees, and to secure equitable employment conditions necessary for sustaining life in an urban society, do ordain and establish these By-Laws for the Granite Education~~al~~ Support Professionals Association(GESPA).

NOTICE ORDERLY PROCEDURES. Roberts Rules of Order Revised will be the Parliamentary Authority for the Association on all questions not governed in the By-Laws and such questions not covered by the policies which the Executive Board will from time to time adopt.

ARTICLE I. THE MEMBERSHIP

SECTION 1. POWERS OF THE MEMBERSHIP

- 1.1 **MEMBERSHIP RIGHTS:** All powers not herein granted will be vested exclusively in the member of the GESPA.
- 1.2 **VOTING RIGHTS:** The power to vote on all matters relating to the GESPA is vested in the dues paying Member of the GESPA. Except as outlined in this section paragraph 1.3
- 1.3 **RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENTS:** The power to accept or reject the tentative negotiated settlement agreement reached with the Granite School District is vested exclusively in the active dues paying member who have paid dues for the period of 90 days, before the date of the ratification meeting
 - 1.3.1 **MASS MEETING:** Copies of the tentative negotiated settlement agreement will be sent to each member prior to mass meetings or provided at the mass meetings that are called for the purpose of ratifying the tentative settlement offer. The Tentative settlement agreement will be presented by the Executive Board at a mass meeting called for the purpose of ratification-
 - 1.3.2 **VOTING PROCEDURE:** Members attending mass meetings will check in at the door and receive a ballot. When the voting ends the voting committee will tally the ballots and announce the results.
 - 1.3.3 **RATIFICATION PROCEDURE:** The tentative negotiated settlement agreement will be ratified and agreed to if (1) the majority of the affiliated departments agree by secret ballot, and (2) the majority of the general membership casting votes approves the agreement through a secret ballot.
- 1.4 **RIGHTS OF MEMBERSHIP TO ADDRESS EXECUTIVE BOARD:** Any member desiring to address the GESPA Executive Board on a specific matter or concern may do so by contacting any member of the Presidency or Executive Board and requesting time on the Board's agenda.

SECTION 2. RULES GOVERNING THE MEMBERSHIP

- 2.1 **MEMBERSHIP ELIGIBILITY:** Membership will be open to all Education~~al~~ Support Professionals employed by the Board of Education of Granite School District who make written application and agree to abide by the By-Laws of ~~the~~ GESPA. Membership is completed by filling out a membership card and USEA staff having received it and your name added to the rolls of GESPA.

2.1.1 No person will be denied membership in or expelled from the GESPA due to race, Creed, Color, sex, religious or social convictions.

2.1.2 Employees requesting reinstatement in the GESPA after having resigned at any time may Be assessed a \$25.00 reinstatement fee by GESPA.

2.2 **MEMBERSHIP AFFILIATION:** Members of the GESPA shall also be members of the Utah School Employees Association (USEA), and the National Education Association (NEA).

2.3 **MEMBERSHIP DUES:** Membership dues will be payable at the beginning of the school year, either in a lump sum or by monthly payroll deductions.

2.3.1 Membership dues may be raised by the increase of the Weighted Pupil Unit (WPU), up to the nearest penny by 2/3 majority vote of the Executive Board. Increases exceeding the value of the WPU will be recommended by the Executive Board and ratified by the general membership by mass meeting or mailed out ballots.

2.4 **MEMBERSHIP DURATION:** Membership will be continuous until the member is no longer employed by the Board of Education of Granite School District.

2.5 **MEETING ADMITTANCE:** Proof of Membership may be requested prior to providing or rendering GESPA services or admittance to Association meetings.

2.6 **GESPA members elected to GESPA office:** All GESPA officers must be employed by the Board of Education of Granite School District for their full term of office.

ARTICLE II THE EXECUTIVE BRANCH

SECTION 1. THE PRESIDENTIAL OFFICERS

1.1 **EXECUTIVE OFFICER:** The executive powers will be vested in a President and a Vice President of the Association.

SECTION 2. ELECTION OF THE PRESIDENTIAL OFFICERS

2.1 **ELECTION OF EXECUTIVE OFFICERS:** Election of the President Elect, and Vice President of the GESPA will be by all GESPA members in good standing

2.2 **CALL FOR NOMINATIONS:** The Members of the GESPA will be notified of the upcoming elections and procedures, and the deadline for accepting nominees by a notice prior to January 31st.

2.3 **ELIGIBILITY FOR EXECUTIVE OFFICES:** Nominees for the office of President Elect, and Vice President must be members in good standing in the GESPA for the Period of at least one year prior to their nomination and must be an employee of the Granite Board of Education of Granite School District.

2.4 **ELECTION FILING DATE:** Presidential nominations will be submitted to the Executive Board by the fourth Wednesday in February for the purpose of electing officers of the GESPA. The election of the officers will take place the third week of March. Ballots must be received at the business address of GESPA or by any GESPA Board member by the last business day of March by twelve noon.

2.4.1 **ELECTIONS AND SPECIAL ELECTIONS:** The election will be by ballot. Ballots will be delivered or mailed by the third week in March with the ballots to be received at the business address of the GESPA or given to

any GESPA Board member by the last business day of March by twelve noon. Special Elections to elect presidential officers can be arranged by the Executive Board. The election dates mandated under the By-Laws can be waived should the need arise.

- 2.5 **ELECTION PROCEDURES AND BALLOT COUNTING:** Ballots for the election of President Elect, and Vice President will be counted in a timely manner, to be completed by the April board meeting, by an election committee which will be appointed by the Vice President and approved by the Executive Board. The ballots must remain sealed until opened by the election committee. In the event of a tie, the tie will be broken by the flip of a coin.

2.5.1 **ABSENTEE VOTING:** The Executive Board will compose a policy that will allow absentee voting on all issues and votes taken by the general membership of the GESPA. Authorization of this procedure requires a majority vote of the Executive Board for each such voting opportunity. Absentee ballots must meet the same time line as set forth in paragraph 2.4 and 24.1 above or the time line set forth for any special election.

2.5.1. A Election Results: The election committee will announce/publish the results of the election

- 2.6 **ASSUMPTION OF EXECUTIVE OFFICES:** The new Presidential Officers will assume their duties on August 1st following their election. The new President-elect will attend all assigned meetings beginning in May. The President-elect will have no voting privileges and must attend all board meetings previous to taking office on August 1st. It will be the duty of the outgoing officers to follow through on unfinished business relating to their term of office, as deemed necessary by the Executive Board.
- 2.7 **TERM OF EXECUTIVE OFFICES:** The term of office for the President-Elect will be three years, one as President – Elect, and two years as President. The President-Elect shall automatically succeed to the office of President one year after his or her election to the position of President-Elect on August 1st of odd years. The Vice-President will be elected for the term of two years. Elections for President Elect and Vice President will be alternated, with the President Elect on even years and Vice-President on Odd years in order to maintain continuity.
- 2.8 **FILLING OF VICE PRESIDENT VACANCY:** In the event of a vacancy in the office of Vice-President, the Executive Board will appoint one of the members of the Executive Board to fill the remainder of the term of office with a majority vote.

SECTION 3. RESPONSIBILITIES OF THE PRESIDENT

- 3.1 **PRESIDENTIAL DUTIES:** The President of GESPA will preside at all meetings of GESPA including the Executive Board and other special meetings, or he/she may authorize others to preside or conduct. The President will **not have** voting privileges on the Executive Board except to make a tie or break a tie.
- 3.2 **PRESIDENTIAL COMMITTEE APPOINTMENTS:** The President of GESPA will have the power to appoint all standing committees and special committees of GESPA with advice and approval of the Executive Board. When the need arises, appointments to committees will be carried forth to facilitate the objectives of GESPA. The President will select at least one board member to serve as chairperson or liaison to a committee. Committees, upon the completion of their work, will file a report with the President.
- 3.3 **PRESIDENTIAL FINANCIAL OBLIGATIONS** The President will be an authorized co-signer of checks drawn on the funds of GESPA.
- 3.4 **PRESIDENTIAL LEGISLATIVE DUTIES** The President may make written recommendation to the Executive Board for the legislation deemed necessary.
- 3.5 **APPOINTMENT OF ASSOCIATION SECRETARY/TREASURER** The President will **appoint** an active member as Secretary/Treasurer of the Association with approval of the Executive Board.
- 3.5.1 **CLARIFICATION:** The Secretary/Treasurer cannot serve as President or Vice President.
- 3.6 **PRESIDENTIAL VETO** The President may veto legislation approved by the Executive Board with the Executive Board having the power to override the Presidential veto by two-thirds majority vote of the Executive Board.

- 3.7 **CALLINGS OF SPECIAL MASS MEETINGS** Special mass meetings of GESPA may be held at the call of the President or a majority of Executive Board Members.
- 3.8 **APPOINTMENT OF NEGOTIATION TEAM** The President will make recommendations to the Executive Board as to the appointing of GESPA's negotiating team.
- 3.9 **PRESIDENTIAL RIGHTS OF REPRESENTATION BEFORE GRANITE SCHOOL DISTRICT**
The President and/or his/her designee will represent the views of GESPA before ~~the~~ Granite School District on all matters considered in GESPA's vital interest. Where possible, the President should obtain the advice and consent of the Executive Board prior to expressing GESPA's position. The position of GESPA, as expressed to the District by the President or his/her designee, may be reversed by a majority vote of the Executive Board.

SECTION 4. RESPONSIBILITY OF THE PRESIDENT ELECT

- 4.1 **PRESIDENT ELECT DUTIES:** The president elect will attend all meetings, as assigned by the President and/or the executive board.
- 4.2 **TRAINING:** The president elect will serve for training purposes for one year, after which they will take office as president.
- 4.3 **OTHER DUTIES:** The president elect will serve in assignments as directed by the president or executive board.
- 4.4 **PRESIDENT ELECT VOTING RIGHTS:** The president elect will have **no voting** rights unless he/she is a member of the Executive or Legislative Branch.

SECTION 5. RESPONSIBILITIES OF THE VICE PRESIDENT

- 5.1 **VICE PRESIDENT DUTIES:** The vice-President of the GESPA will, in the absence of the President, perform all duties assigned to the President of the GESPA. In the event of the office of President becoming vacant the Vice President will assume the remainder of that term of office
- 5.2 **VICE PRESIDENT MEETING DUTIES:** The Vice President may conduct the meeting of the Executive Board under direction of the President of the GESPA.
- 5.3 **VICE PRESIDENT RIGHTS OF MEETING ATTENDANCE:** The Vice President will have the right to attend all matters pertaining to GESPA business.
- 5.4 **VICE PRESIDENT VOTING RIGHTS:** The Vice President will have one vote as a member of the Executive Board.
- 5.5 **VICE PRESIDENT FINANCIAL OBLIGATIONS:** The Vice President will be an authorized co-signer of checks drawn on the funds of the GESPA.
- 5.6 **VICE PRESIDENT IN CHARGE OF ELECTIONS:** The Vice President will be in charge of all election proceedings and shall ensure that all elections are held in the appropriate time periods and in accordance to the By-Laws.

SECTION 6 REMOVAL OF PRESIDENTIAL OFFICERS

- 6.1 **PRESIDENTIAL VOTE OF NO CONFIDENCE:** A vote of no confidence, as to whether a Presidential Officer and/or Officers should continue in office may be called for at the request of one-third or more Executive Board Members.
- 6.2 **VIOLATION OF BY-LAWS OR BOARD POLICIES:** Any Presidential Officer found not performing their duties and responsibilities as defined by the By-Laws, or as determined by the Executive Board, may be recommended to be removed from office, if a majority of the Executive Board feels it is necessary. The offending party has the right to be confronted with allegations and will be afforded an opportunity to explain their actions.

- 6.3 **EXECUTIVE BOARD VOTE OF NO CONFIDENCE:** If the majority of the Executive Board fails to sustain a Presidential Officer and/or Officers in the vote of no confidence, the Board will immediately arrange for a vote of no confidence by the general membership. The vote of no confidence ballots will state the specific reasons why a vote of no confidence is being called for by the Executive Board and will provide space for the Officer and/or Officers in question to make a rebuttal of all charges. The general membership will determine whether they wish the Presidential Officer and/or Officers in question to continue in office by secret ballot only.
- 6.4 **MEMBERSHIP VOTE:** If the majority of the general membership fails to sustain a Presidential Officer and/or Officers the Executive Board will arrange for a special election to fill the vacant seat or seats.
- 6.5 **NEW TERMS OF OFFICE:** An officer, elected during a special election, will only serve the unexpired term of the vacant seat.

ARTICLE III LEGISLATIVE BRANCH

SECTION 1. THE EXECUTIVE BOARD

- 1.1 **LEGISLATIVE POWER:** All legislative powers will be vested in the Executive Board of GESPA.
- 1.2 **CREATION OF NEW DEPARTMENTS:** A New departments ~~will~~ may be established by a two-thirds majority vote of the existing Board Members

SECTION 2. ELECTION OF THE EXECUTIVE BOARD

- 2.1 **EXECUTIVE BOARD PROCESS:** Election of Executive Board Members will be conducted by the current president elect of each department. Voting will take place by the active membership of each GESPA department. Executive Board members are elected for two years, the First year in office as President Elect and the second year as President of that department. An election will be held every year for the office of President Elect. An incumbent President can run for office and if winning the election will assume the office of President Elect as described above.
- 2.1.1 **ELECTION FILING DATE:** Nominations for President Elect will be submitted to the current president elect.
- 2.1.2 **EXECUTIVE BOARD ELECTIONS AND SPECIAL ELECTION DATES:** The election of President elect will take place the third week in April with the ballots to be received at the business address of the GESPA or given to any GESPA Board Member by the last business day of April, by twelve noon. In case of a tie, a coin will be flipped. Mandated election dates may be waived should the need arise.
- 2.1.2 a **Election Results:** The department president elect will announce/publish the results of the election.
- 2.1.3 **OFFICE OF DEPARTMENT PRESIDENT BECOMES VACANT:** The vacancy will be filled either by special election or by appointment by the GESPA presidency.
- 2.1.3.1 **30 DAY LIMITATION:** In the event a vacancy in the office of an Executive Board Member occurs, the department will have 30 days to fill the vacancy, or the Executive Board will appoint from that department.
- 2.1.4 **OFFICE OF DEPARTMENT PRESIDENT ELECT BECOMES VACANT:** The vacancy will be filled either by special election or by appointment by the GESPA presidency.
- 2.1.4.1 **30DAY LIMITATION:** In the event a vacancy in the office of an Executive Board Member occurs, the department will have 30 days to fill the vacancy, or the Executive Board will appoint from that department.
- 2.1.5 **EXECUTIVE BOARD ASSUMPTION OF OFFICE:** The new Executive Board Members will assume their

duties on August 1st, following their election. It will be the duty of the outgoing officers to follow through on unfinished business relating to their term of office as determined by the Executive Board.

- 2.1.6 **ELIGIBILITY REQUIREMENTS:** No person will be eligible to run for the office of Executive Board Member unless he or she has been a member in good standing with the GESPA for the period of one year, immediately prior to taking office.

SECTION 3. COMPOSITION OF EXECUTIVE BOARD

- 3.1 **COMPOSITION OF EXECUTIVE BOARD:** The Executive Board will be made up of the President, President Elect and Vice President of the Executive Branch and a President and President Elect from each department of the Legislative Branch.

SECTION 4. POWERS AND DUTIES OF THE EXECUTIVE BOARD MEMBERS

- 4.1 **EXECUTIVE BOARD APPROVAL** Executive Board will approve or disapprove all matters of business that come before GESPA.
- 4.2 **LEGISLATIVE RIGHTS** The Executive Board Members may initiate legislation by securing the signature of one other Board Member to any bill.
- 4.3 **EXECUTIVE BOARD VOTING RIGHTS** Each Board Member will have one vote on all legislation presented before the Executive Board.
- 3.1 **VOTING:** Voting will be by voice vote. If a division is called for, a show of the hand will be given.
- 3.2 **SECRET BALLOT:** A secret ballot may be called for by any board member.
- 4.4 **APPOINTMENT OF NEGOTIATION TEAM.** The Executive Board will, by majority vote of that body, approve the negotiation team that will represent the ~~Association~~ GESPA before the governing and appropriate bodies of the school system. The Board, however, will retain the right to approve all tentative settlements.
- 4.5 **BUDGET APPROVAL.** The Executive Board will approve the budget of the GESPA, act on committee reports, and adopt such rules and regulations as it sees necessary to conduct the business of the GESPA as well as disburse funds in its charge.
- 4.6 **DELEGATE APPOINTMENT.** The Board will have the power to appoint delegates to represent the GESPA at conventions and other meetings which it determines are of value to the GESPA.
- 4.7 **EXECUTIVE BOARD OVER-RIDE.** The Executive Board may override a Presidential veto of legislation by two-thirds vote of that body.
- 4.8 **EXPULSION RIGHTS:** An Executive Board may be removed by two-thirds vote of the Executive Board.
- 4.9 **MEETING REQUIREMENTS.** The Executive Board will have at least one monthly meeting and other such meetings necessary to conduct the business of the GESPA. The President will call meetings of the Executive Board and/or meetings may be called or cancelled at the request of the majority of the board members.
- 4.9.1 **ATTENDANCE:** Executive Board members will attend all regular and special board meetings.
- 4.9.2 **REMOVAL FROM OFFICE:** An Executive Board member may be removed from office based upon an Executive Board evaluation.
- 4.10 **GRIEVANCE OBLIGATION:** Board members may work with grievances from his/her department
- 4.11 **ESTABLISHMENT OF BOARD POLICY:** Board Members will formulate Board Policies to govern GESPA business.

- 4.12 **COMMITTEE APPROVAL:** Board Members will work on committees as assigned by the President of the GESPA and approved by the majority of the Executive Board.
- 4.13 **NEGOTIATIONS OBLIGATION:** Board Members will draft the tentative negotiation package for the consideration of the General Membership.
- 4.14 **KNOWLEDGE OF DISTRICT POLICIES:** Board Members will have a working knowledge of the rules and regulations which govern those employed by the Board of Education of Granite School District.
- 4.14.1 **KNOWLEDGE OF ASSOCIATION POLICIES:** Board Members will have a working knowledge of all GESPA Board Policies and GESPA By-Laws.
- 4.15 **IMPEACHMENT OF EXECUTIVE BOARD:** Any Board Member found not performing their duties and responsibilities, as defined by the By-Laws, or to be divulging confidential GESPA matters, as classified by the Executive Board, may be brought before the Board., if two or more Executive Board Members deem it necessary. If the violation is serious enough, the Executive Board, with a two-thirds vote may remove the offending party from office.

ARTICLE IV SECRETARY/TREASURER

SECTION 1. RESPONSIBILITIES OF THE SECREATRY/TREASURER

- 1.1 **DUTIES:** The Secretary/Treasurer will keep the minutes of the GESPA meetings, the Executive Board meetings, conduct correspondence, keep enrollment and financial records, manage all receipts and disbursements of GESPA funds and perform other miscellaneous duties as directed and approved by the President or Presiding officer.
- 1.2 **AUDIT:** The Secretary/Treasurer will present to the Executive Board an annual outside_audit report in the first Executive Board Meeting in November.
- 1.3 **THE TERM OF OFFICE:** The Secretary/Treasurer will be appointed for two years. It will be the duty of the outgoing Secretary to follow through on unfinished business related to that office and train the incoming Secretary.

ARTICLE V AMENDMENTS

SECTION 1. PROCEDURE FOR AMENDING THE BY- LAWS

- 1.1 **BOARD AMENDMENT.** The By - Laws may be amended at any regular membership meeting by a majority of the voting members present provided amendments have been previously studied by the Executive Board and approved, and copies have been made available to the membership through either: department representatives, U.S. Mail, GESPA Web Site, and/or made available at the start of the meeting at which the document will be voted on.

When necessary, the Executive Board may by 2/3 vote, make it possible for the association membership to vote by US mail provided the Executive Board gives full explanation of why the changes are necessary. The association will provide postage-paid return envelopes for this process.

- 1.2 **MEMBERSHIP AMENDMENT:** Amendments may be proposed by the members of the Executive Board, or by petition bearing the signatures of one-third of the membership of the GESPA.
- 1.3 **METHOD OF CHANGE**

Old language will be struck out ~~this is what strikeout looks like~~

New language will be in red

