

CONSTITUTION and BYLAWS

***Education Minnesota
Rock Ridge***

Local #7394

Updated: February 2024

Constitution of Education Minnesota Rock Ridge

ARTICLE I PREAMBLE

We, the members of Education Minnesota Rock Ridge (EMRR), Education Minnesota, National Education Association (NEA), and American Federation of Teachers (AFT), believing that the active participation of non-supervisory licensed education personnel in the development of educational policy is essential for sound education in a democratic society, have joined together, as herein defined in this Constitution and Bylaws, for the purpose of exerting a collective and positive influence on education in Independent School District No. 2909, Rock Ridge Public Schools.

Education Minnesota Rock Ridge shall provide a united voice for public education, leadership in education innovation, dedication to Minnesota students and families, and an unwavering commitment to the welfare of our members.

Education Minnesota Rock Ridge shall be a local organization that provides unstinting professional service to its members by building and maintaining a strong, effective local and by promoting instructional advocacy. Education Minnesota Rock Ridge shall be committed to democracy in the workplace and within the organization.

If any provisions of this constitution and bylaws conflict or violate the constitution and bylaws of Education Minnesota, NEA or AFT/AFL-CIO the provisions of the state and national organizations shall supersede those contained herein.

ARTICLE II NAME

The name of this organization shall be Education Minnesota Rock Ridge. Hereafter referred to in this document as EMRR or the Association.

ARTICLE III AFFILIATIONS

Education Minnesota Rock Ridge is affiliated with Iron Range Service Unit, Northeast Area Labor Council, Education Minnesota, the American Federation of Teachers and the National Education Association, and AFL/CIO in accordance with the constitution and bylaws of these bodies. Individuals will be members of Iron Range Service Unit (IRSU), Northeast Area Labor Council (NEALC), Education Minnesota, the American Federation of Teachers (AFT), and the National Education Association (NEA).

ARTICLE IV PURPOSE

Section 1. The purpose of this Association shall be

- A. To foster professional zeal,
- B. To improve teaching,
- C. To promote educational interests and advance standards of education,
- D. To enhance and unify the professional spirit among members and persons engaged in the profession of teaching,
- E. To create and perpetuate ideals for civic and economic betterment, and,
- F. To engage in such other activities as may promote the social and economic welfare of its members.

ARTICLE V POWERS OF THE GENERAL MEMBERSHIP Membership and Dues

Section 1. Membership in Education Minnesota Rock Ridge shall be in accordance with the constitution and bylaws of Education Minnesota, NEA and AFT. The membership year shall be September 1 through August 31. No one shall hold office in Education Minnesota Rock Ridge who is not an active, dues-paying member of Education Minnesota, NEA and AFT.

Section 2. State and national dues will be assessed in accordance with the dues categories and policies of Education Minnesota, AFT and NEA.

Section 3. Local Dues. The Executive Board shall annually determine the amount of the dues in the Association. The members shall ratify any increase of local dues by a simple majority vote at a EMRR General Membership meeting.

Section 4. No net earnings shall inure to the benefit of any member.

Section 5. Payment of dues shall constitute membership. Members whose dues payments are delinquent shall be terminated from the membership in accordance with State and National Bylaws.

Section 6. Resignation shall be in written form. There shall be no refund of local, state, national dues. Resignation shall be automatic should the member leave the employ of the District.

Section 7. An employee who chooses not to join as a member will be considered a potential member. Potential members will not be eligible to run for or hold any office, to receive

appointment to any position, vote in any election or ratification and strike votes, and shall not be eligible to attend any membership meeting. Potential members may not make financial donations to EMRR in lieu of becoming a member. If for any reason there is conflicting information about these rights in any other governance or policy documents, this Article V, Section 7 takes precedence.

ARTICLE VI MEETINGS

Section 1. A minimum of two meetings shall be held during each year. A year is defined as concurrent with duty days of the District.

Section 2. Association meetings shall be set by the Executive Board or the President(s) after polling the Executive Board if conditions merit such action.

Section 3. A quorum shall be the members present.

Section 4. General membership meetings shall be chaired by the President and announced at least one week in advance by the Secretary, except in cases of emergency as declared by the Executive Committee. Other specified members of Education Minnesota Rock Ridge may be in attendance without voting privileges.

ARTICLE VII AMENDMENTS

Section 1. This constitution may be amended at any meeting called for the purpose of amending the constitution, by a two-thirds vote of the members present.

Section 2. The general membership shall be informed in writing of all proposed changes in this constitution no less than 30 days prior to a vote on the amendments. Such notice shall also identify time and place of the meeting to consider amendments.

Section 3. For this article only a quorum at the meeting to consider amendments shall consist of members present.

Section 4. Members unable to attend the above meeting may request absentee ballots. Such a request must be written to the president(s) of the EMRR at least one week prior to the meeting.

ARTICLE VIII
CONTRACT RATIFICATION AND STRIKE VOTE

Section 1. The ratification of the Master Contract between the local and the school district shall take place at a general membership meeting called for that purpose. The vote shall be conducted by secret ballot and all members of the local shall have the right to vote. A majority of those voting is necessary to approve the contract.

A. A waiting period of at least two (2) working days is necessary from the day of presentation to the teachers by the teacher negotiators to the day for balloting. This waiting period may be waived in an emergency.

B. If the contract ratification meeting takes place while teachers are involved in a strike, all members of the bargaining unit who participate in the strike shall be eligible to vote on the proposed master contract. A majority of those voting is necessary to approve the contract.

C. If a tentative agreement is reached at a time when school is not in session, the President(s) or an appropriate local officer available shall be authorized to call a meeting for the purpose of ratifying the proposed agreement. A notice of the meeting shall be mailed to the membership. Membership shall be notified of the meeting within ten days of the tentative agreement. The meeting shall be held no later than seven days after the date of the notice. Included with the notice will be an outline of the negotiated changes in the Master Contract.

D. A secret ballot vote on the proposed agreement shall be held at this meeting. Members who are unable to attend the meeting may vote by absentee ballots provided with the meeting notice. All ballots from the meeting will be counted at this general meeting. A simple majority of those are necessary for approval of the agreement.

Section 2. In the event that a contract cannot be reached between the local and the school district, the local shall conduct a strike vote at its discretion. Such a strike vote shall be conducted at a general membership meeting called expressly for that purpose. The vote for a strike shall be by secret ballot. *Eighty (80) percent* of the active membership must vote their approval of a strike action.

Section 3. If a general membership meeting has been called for the purpose of ratifying the contract and the contract is rejected as set forth in Section 1, the local may conduct a strike authorization vote at this meeting (*or 2 day waiting period*), as set forth in Section 2.

Section 4. During a strike or in the event of an emergency, the Executive Board shall have the authority to establish alternative timelines for notification and balloting.

BYLAWS OF EDUCATION MINNESOTA ROCK RIDGE

ARTICLE I RULES OF PROCEDURE

Section 1. Robert's Rules of Order, most recently revised, shall be the authority on all questions of procedures not specifically described in the constitution and bylaws.

Section 2. Electronic voting may occur as long as detailed instructions on how to participate are given to members, with provisions made for members who do not have ready access to technology.

ARTICLE II EXECUTIVE BOARD

Section 1. Defined. The Executive Board of EMRR shall consist of the officers, negotiations chairperson, negotiations spokesperson, and council chairpersons as hereafter defined. All members of the Executive Board shall have full voting privileges. Council chairpersons shall sit as ex-officio, non-voting members, except that chairpersons may also be elected to and may serve as officers or building representatives with full voting privileges; however, the negotiations chairperson and the negotiations spokesperson shall have a vote in the proceedings of the Executive Board.

Section 2. Duties

- A. To recommend the annual dues of EMRR based on state dues, national dues, and local needs.
- B. To approve the annual budget.
- C. To authorize expenditures of funds from the EMRR treasury.
- D. To approve expenditure of funds made by the treasurer between meetings.
- E. To approve un-budgeted bills presented by the treasurer.
- F. To determine the need for Approve the annual audit of the treasurer's books.
- G. To determine when a temporary absence in an elective office becomes a vacancy. The president appoints a replacement, with Executive Board approval, for such vacancy except in the office of president(s). The vice-president shall assume the duties of the president(s) in his/her absence or inability to serve.
- H. To appoint the nominating committee for the selection of candidates for office, if needed.
- I. To approve the appointment of councils and council chairpersons.
- J. To attend all meetings of the Executive Board and general membership meetings.

Section 3. The Executive Board shall have full governing powers of the Association.

Section 4. The Executive Board shall meet at the call of the president(s) or at the request of a majority of the Executive Board's members.

Section 5. Removal Due To Absences. Any one or all of the Executive Board members may be removed at any time, with or without cause by a 60% majority vote of those active general membership voting at a duly called and convened meeting, but not limited to, a special meeting of the active members of EMRR called for the purpose of considering such removal.

Section 6. A quorum of the Executive Board shall be a majority of its active members.

ARTICLE III ELECTIONS

Section 1. The officers and building reps shall be elected in April of even numbered years.

Section 2. A simple majority of votes cast shall be necessary to elect a member to office.

Section 3. Officers shall serve two (2) years commencing on May 1st of the year in which they are elected. Any vacancy which shall occur in any of the offices (with exception of president(s), shall be filled through appointment by the President with Executive Board approval.

Section 4. The president(s) shall serve as an automatic first delegate to the Education Minnesota Representative Convention, provided that status, including the term of such status, (along with the position of president) is printed on the local election ballot each time an election for said office occurs (**e.g. EMRR President and Automatic Delegate to the Education Minnesota Representative Assemblies**).

Section 5. Election Procedures: All elections shall be governed by applicable state and federal laws.

- A.** Each member must receive at least 15 days notice of the procedures and deadlines to file as a candidate for the election and the date, time and place of the election.
- B.** Every member must have a fair and equal opportunity to participate in the election without unreasonable impediments.
- C.** Voting must be by secret ballot, which can include mail, in-person or electronic voting.

- D.** In a contested election, candidates must be allowed to station observers at the polling places.
- E.** Representatives of the competing candidates should be allowed to observe, but not actually participate in the counting of ballots.
- F.** The used, unused and challenged ballots; the envelopes used to return ballots; and other documents related to the election should be safely stored for one year in case there is a challenge to the election.
- G.** No union funds may be used to support any candidate.
- H.** The union should comply with reasonable requests to distribute campaign literature at the candidate's expense.
- I.** Candidates have the right to inspect the membership list once within 30 days prior to the election. No candidate can have preferential access to the list.
- J.** There shall be an open nomination process for all elections.
- K.** If there is only one candidate for a position, the election for the position may be waived and the candidate declared elected. In order to waive such an election a reasonable period of time must have been provided for nominations and there shall be no provision allowed for write-in votes for any election.
- L.** Members who are unable to attend an in-person election may vote by absentee ballots provided with the meeting notice.

ARTICLE IV OFFICERS

The officers of Education Minnesota Rock Ridge, who shall be members of this Association, Education Minnesota, NEA, and AFT shall be a president(s), vice-president, secretary, and treasurer. Any of these officer positions could be held by 1 or 2 active members. (For example: co-presidents)

Section 1. President(s). The president (or co-presidents) shall:

- A.** Preside at all business meetings and meetings of the Executive Board.
- B.** File constitution, bylaws, annual mailing list, and names of delegates to the Representative Convention of Education Minnesota.
- C.** Appoint council chairpersons.
- D.** Sit as an ex-officio member of the Negotiations Council.
- E.** Call meetings of the Executive Board or poll the members as business necessitates.
- F.** Perform all other duties usually pertaining to the office.

Section 2. The Vice-President. The vice-president shall:

- A.** Perform the duties of the president when a vacancy arises in the office or in the inability of the president(s) to perform his/her duties.

- B. Perform duties involving the membership roster and dues.
- C. Perform duties as delegated by the president(s).

Section 3. Secretary. The secretary shall:

- A. Record the minutes of EMRR and the Executive Board. In the event of absence, he/she will arrange for a substitute.
- B. Forward approved minutes to the editor of the EMRR newsletter to the EMRR membership.
- C. Maintain a file containing the constitution, bylaws, annual mailing list (if such list is requested to be maintained by the Executive Board), and names of delegate EMRR members.
- D. Assume responsibility for such correspondence of EMRR and Executive as delegated by the president or the Executive Board. shall delegate.
- E. Perform such other duties as shall be assigned by the president(s).

Section 4. Treasurer. The treasurer shall:

- A. Serve as custodian of all funds for the Association.
- B. Keep an itemized account of all receipts and disbursements.
- C. Shall submit an annual written financial report to the Executive Board.
- D. Pay all budgeted bills when properly verified by the person incurring the indebtedness, and submit same to the Executive Board for special approval.
- E. Shall submit a proposed budget to the Executive Board.
- F. Submit records for audit when called for by the Executive Board.
- G. Submit a brief financial report for each meeting.
- H. Perform such other duties as shall be assigned to him/her by the president(s).

ARTICLE V COMPENSATION FOR CERTAIN POSITIONS

Section 1. Education Minnesota Rock Ridge shall award stipends annually to the following: President, Vice President, Treasurer, Secretary, Membership, Negotiations Chairperson, Negotiations Spokesperson, Council Chairperson(s) and Building Representatives.

Section 2. Education Minnesota Rock Ridge shall award stipends once per bargaining cycle to the following:
Negotiations Secretary and any additional Negotiators

Section 3. Stipends will be set by the executive board as per policy annually before the end of each school year.

Section 4. Upon General Membership approval the stipend amounts can be changed as needed.

ARTICLE VI BUILDING REPRESENTATIVES

Section 1. Defined. Each building shall be entitled to two Building Representatives. The allotted Representatives will be as follows: Laurentian Elementary (2), Parkview Elementary (2), Northstar Elementary (2), Rock Ridge Junior High (2), and Rock Ridge High School (2). In addition, ECFE/Pre-K shall have up to one building Representative per building. The members in these units shall choose an alternate to serve in the absence of an elected member.

Section 2. Shall conduct and attend all meetings of EMRR or send a duly elected alternate. Assist members in receiving help they may need for member rights, membership concerns, etc

Section 3. Distribute all materials sent to him/her by EMRR. Keep members informed. Serve as the main source of communication to/from the members in your building or department

Section 4. Collect from his/her members and return any items or information as requested by the president or Executive Board. Assist new members in becoming familiar with their school district and local. Promote 100% membership from your building. Assist the membership contact (vice president) in verifying correct names, addresses, and phone numbers of members

Section 5. A Building Representative shall be elected by the members within the unit. In the event of a vacancy occurring during the school year the president shall appoint a replacement.

Section 6. Persons designated as Building Representatives during the year of the adoption of this constitution shall continue in office.

Section 7. Shall attend one IRSU meeting every year of the two year term. Two meetings total for the two year term. One Building Representative will be present at every IRSU meeting.

ARTICLE VII COUNCILS AND THEIR DUTIES

The following councils may be formed. The members of these councils shall be selected and approved by the executive board. Council chairs shall be appointed by the president(s) and approved by the executive board.

Section 1. Organizing to Settle / Communications Council. The duties of the council shall be to inform the membership via newsletter/email to cooperate with all other councils as asked and to perform any other duties that pertain to their areas, as requested by the president(s).

Section 2. Instruction and Professional Development. The duties of the council shall be to provide information to the membership in regard to Instruction, Human Relations, to cooperate with other councils as asked and to perform other duties that pertain to their area as requested by the president(s).

Section 3. Member Rights. The duties of the Member Rights Contact is to:

1. Participate in formal grievances through whatever steps are needed to get problems solved.
2. Attend appropriate meetings and training sessions and keep members informed of their rights and responsibilities through present Collective Bargaining Agreement language, current statutes, and the Code of Ethics.
3. Serve as a representative with a member at disciplinary meetings with administrators or any other times as needed/requested.
4. Serve on the Meet and Confer Committee (this may vary per local) and the Executive Board.

Section 4. Professional Rights and Responsibilities. The duties of the council shall be to provide information on legal matters, welfare, and ethics to the membership and any question that might arise from the Master Contract when EMRR is the designated Bargaining Representative, to cooperate with other councils as asked, and to perform other duties that pertain to their area as requested by the president.

Section 5. Field Services. The duties of the council shall be to conduct the annual membership drive, to provide the secretary a mailing list of all members when requested, to conduct Bargaining Elections when called, to cooperate with other councils as asked, and to perform other duties that pertain to their area as requested by the president.

Section 6. Negotiations. The duties of the council shall be to conduct negotiations with the Board of Education or their designee when the Association is designated Bargaining Representative, to provide information to the membership on negotiations, to cooperate with the other councils as asked, and to perform the other duties that pertain to their areas as requested by the president(s). Members of this council shall be selected and approved by the executive board.

Negotiations Spokesperson Duties:

- A. Negotiations Primary Speaker.
- B. Primary Communicator between the District / Negotiations Team.
- C. Work with the Negotiations Team on developing proposals.
- D. Sidebar with Chairperson on Topics with the District.
- E. Final Contract Settlement Presentation to EMRR membership.
- E. Together with Negotiations Chairperson, address potential Contract Issues with the District as needed.
- F. Primary contact with Ed MN office/representative.
- G. Spokesperson with the media regarding the contract and negotiations.
- H. Attend the Collective Bargaining Conference and other training related to negotiations.
- J. Together with the Negotiations Chairperson, delegate assignments to Negotiations Team members.

Chairman of Negotiations:

- A. Set the agenda and conduct General Negotiations Committee Meetings.
- B. Survey EMRR members from each building for interest in serving on the General Negotiations Committee. The Negotiations Committee members will be selected by the Chairperson and Spokesperson.
- C. Select the Spokesperson for the Negotiations Team.
- D. Select the Negotiations Team that will meet with the District to negotiate the contract. The Negotiations Team, including the Spokesperson, will need to be approved by the Executive Board.
- E. Periodically address EMRR members on the status of the negotiations process.
- F. Attend the Collective Bargaining Conference and other training related to negotiations.
- G. Attend Executive Board Meetings.
- H. Complete and return Negotiations Settlement Report to Education MN.

Section 7. Economic Services. The duties of the council shall be to provide information to the membership on travel, special service and insurance, to cooperate with other councils, and to perform other duties that pertain to her areas as requested by the president.

Section 8. Governmental Relations. The duties of this council shall be to provide current reports on legislative actions that affect teachers and education, summarize education-related bills as they are introduced in the legislature.

Section 9. Health Care Advocate.

The duties of a Health Care Advocate include:

1. Attend HCA training in your area.
2. Commit to reading updates, communicating regularly with Field Staff and staying up to date on the issues.
3. Communicate with members in your local by:
 - a. Coordinating activities (letter writing campaigns, phone banks, sending postcards etc.)
 - b. Coordinate member attendance at regional meetings and lobbying efforts (Eggs and Issues, Pizza & Politics, Lobby Day, etc.)
4. Coordinate member activities
5. Meet with your legislators and serve as a local point person if a legislator has a question about a health insurance bill.

Section 10. Webmaster. The duties of the Webmaster will include creating or maintaining a website or social media platform in order to promote communication and solidarity for the membership.

ARTICLE VIII INTERMEDIATE/AFFILIATE ORGANIZATIONS

Section 1. EMRR may affiliate with other intermediate or affiliate organizations as provided by the Constitution/Bylaws and policies of Education Minnesota, NEA, and AFT.

Section 2. EMRR representation to the above will be as provided in the Constitution/Bylaws of said organization.

ARTICLE IX EMRR DELEGATES

Section 1. Delegates to the governing assemblies of Education Minnesota, NEA, AFT, and other organizations with which EMRR maintains affiliation shall be elected as provided in the bylaws of those organizations.

ARTICLE X MEMBER DISCIPLINE

Section 1. Disciplinary action, in the form of censure, suspension or permanent expulsion, shall not be taken against any member except for cause. Cause shall relate to conduct prejudicial to the purposes of the local which may include any one or more of the following:

1. Failure to remain a member in good standing with Education Minnesota, National Education Association and American Federation of Teachers.
2. Substantial violation of the Code of Ethics of the Board of Teaching.
3. Violation of a local policy in crisis situations affecting the entire school district.
4. Other good and sufficient cause whereby the conduct of the member would be prejudicial to the purposes of the local.

Section 2. Such action shall be initiated by a complaint of a majority of the officers of the local, with written notice to the member of the proposed action to be taken and the reasons thereof. Such notice shall also include the statement that the member has ten (ten) (10) calendar days in which to request a hearing before the local executive board, or a special local discipline committee, at which the member is entitled to a representative of his/her choice to answer the charges and examine those making them.

Section 3. The hearing will be private or public at the choice of the member being disciplined, and the decision, by a simple majority, shall be communicated, in writing, to the member, accompanied by a memorandum of findings of fact, within ten (10) calendar days of the close of the hearing. A tie vote shall indicate no action will be taken.

Section 4. Any member censured, suspended, or expelled under these provisions shall have the right to appeal to the full membership or representative assembly, if applicable, within ten (10) calendar days of receipt of the decision. The appeal hearing shall be presided over by the local president(s) who shall grant a procedure which includes witnesses and the right of cross-examination. A quorum shall be present. The decision shall be made by secret ballot with a simple majority of the membership present voting. In the case of a tie, with the president(s) voting, no action shall be taken.

Section 5. Action to expel or suspend shall be communicated to Education Minnesota.

Section 6. A member who is expelled or suspended from membership in the local shall have the right of appeal to the Education Minnesota Governing Board in accordance with such policies and procedures as the Board may adopt.

Section 7. Appeal to the American Federation of Teachers and National Education Association shall be governed by the policies and procedures adopted by the AFT and NEA.

Section 8. Lawsuits. No person shall initiate a civil action suit or proceeding in any court against the local or any of its officers, members, or employees on account of any discipline unless such person has exhausted the remedies of hearing and appeal as provided in this Constitution.

Ratified: February 2024

EMRR President

EMRR President

EMRR President

EMRR Secretary