

Bylaws of
**Bloomington Educational
Support Personnel**
(BESP)



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Bylaws – Bloomington Educational Support Personnel (BESP)

Article I – Name and Objective

Section 1 – Name

The name of this organization will be the Bloomington Educational Support Personnel (“BESP”), an affiliate of the Illinois Education Association (“IEA”) and the National Education Association (“NEA”).

Section 2 – Objective

The object of the Association is to advance public education in Illinois and to promote the welfare of non-management school personnel.

Article II – Membership, Affiliation and Non-Discrimination

Section 1 – Membership

Membership will be open to all bargaining unit personnel within the custodial/maintenance and paraprofessional (formerly known as “program assistants”) bargaining units who are employed by Bloomington School District 87, Bloomington, Illinois. Membership continues year to year on an automatic renewal basis. A continuing member terminates membership upon signed written notice to the local president or the IEA president. Electronic notice is not sufficient.

Section 2 – Affiliation

This organization will be affiliated with, and comply with the Bylaws of the Illinois Education Association and Constitution and Bylaws of the National Education Association. If there are any conflicts or inconsistencies between these bylaws and the bylaws or constitution of the state or national organization, the state or national documents will govern.

Section 3 – Privileges

Members will have full membership services and privileges, including voting, holding office, serving on committees and commissions, serving as a delegate to IEA and NEA assemblies, participating in fringe benefits provided by the Association and related enterprises, and such other rights and privileges as are conferred through the Association governance. Individuals who join as a member when they are first eligible for membership immediately have full voting rights. For individuals who become members after they were first eligible or who rejoin as a member will only have voting rights after they have been a member for two (2) pay periods.

Section 4 – Censure and Discipline

In the event a charge is filed against a member calling for the censure, suspension, or expulsion of the member, the Executive Committee shall conduct a due process hearing and rule on the

charge. The decision of the Committee may be appealed to the Representative Council and from there to the IEA Review Board. The local shall deny membership to an individual while that individual is denied membership in the IEA pursuant to NEA Bylaw 2-3.d.

Section 5 – Non-Discrimination

This organization shall not deny membership based upon race, color, national origin, religion, gender, sexual orientation, age, disability, marital status or economic status.

Article III – Governance

Section 1 – Executive Officers

The Executive Officers of the Association will be the President, Vice President – Custodial/Maintenance (“C/M”), Vice President – Paraprofessionals, Treasurer/Membership Chair, and Secretary.

Section 2 – Executive Committee

The Executive Committee will consist of the Executive Officers plus the Insurance Representative, Region 14 Representative, Steward – Paraprofessionals, and Steward Custodial/Maintenance (“C/M”).

Article IV – Executive Officers

Section 1 – Duties

A. President. The President shall be the Chief Officer, with the power and the duty to enforce and interpret the Bylaws, carry out Association policies between Executive Committee meetings, sign contracts and agreements, represent the Association before the public either personally or through designees, appoint and remove members of all committees with the consent of the Executive Committee, serve as ex-officio member on all committees, cause a budget to be constructed and an annual audit to occur, and preside over meetings of the Executive Committee, and the membership. Further, the President will have the power and duty to perform all acts generally associated with the nature of the office and such other duties applicable to the office as prescribed by the parliamentary authority adopted herein which are not inconsistent with the Bylaws.

B. Vice President Custodial Maintenance (C/M) and Vice President Paraprofessionals. The Vice Presidents will have such powers and duties as may be assigned by the President. In the President’s absence or inability to serve, one of the Vice Presidents shall succeed to the Presidency pursuant to the Bylaws.

C. Secretary. The Secretary shall maintain the official files and shall assist the President with Association correspondence. The Secretary shall keep accurate minutes of each meeting of the Executive Committee and each meeting of the membership, and shall notify members of regular and special meetings.

D. Treasurer/Membership Chair ("Treasurer"). The Treasurer/Membership Chair shall maintain the records of membership, keep accurate records of expenses and income, and report such records and current financial statements at every Executive Committee meeting and meetings of the membership. The Treasurer/Membership Chair shall be responsible for the payment of bills, for updating and returning the membership roster to IEA, and for transmitting dues to the IEA as per IEA policies. In addition, The Treasurer/Membership Chair shall maintain records of membership; communicate dues amounts to the district bookkeeper for payroll deduction; and conduct an annual review and/or reconciliation of the local's membership roster to the IEA membership roster to ensure that all members are included and appropriately classified.

Section 2 – Terms

A. Term. The term of office for Executive Officers will commence on July 1. The term will be one year and until a successor is elected. Officers may succeed themselves.

B. Transfer of Records. Each officer shall transfer records to the Association within ten (10) days of leaving office.

Section 3 – Vacancies

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

A. President. A vacancy in the office of the President will be filled by either the Vice President C/M or the Vice President Paraprofessionals. A coin flip will be conducted by the Secretary, who will toss a coin in the air allowing it to land flat on the floor. A result of "heads" will have the Vice President C/M complete the remainder of the President's unexpired term and a result of "tails" will have the Vice President Paraprofessionals complete the remainder of the unexpired term. The Vice President who does not win the coin toss will continue in the Vice President's role alone.

B. Other Officers. If the vacancy occurs in any other office, the President shall appoint a successor for the remainder of the unexpired term, with the consent by majority vote of the Executive Committee.

C. President and Vice President. If a vacancy occurs in the office of the President, the Vice President C/M, and the Vice President Paraprofessionals, the Secretary or Treasurer (the one who has served the greatest time as a voting member of the Executive Committee) shall assume the President's duties until an election is conducted by the Election Committee within sixty (60) days to complete the unexpired terms.

Section 4 – Recall

Any Executive Officer may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting when a majority of the membership is present. Such recall election will be conducted by the Election Committee within 10-20 school days of

receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the membership.

Article V – Regional Council Representative and Alternate

Section 1 – Duties

The IEA Regional Council Representative shall attend the regional council meeting, represent the Association, and report Council activities to the Executive Committee and membership as necessary.

An alternate shall perform the duties of the Regional Council Representative in his/her absence.

Section 2 – Election and Terms

The election of a Regional Council Representative and alternate must be as prescribed by the IEA Bylaws. A Regional Council Representative or alternate may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting when a majority of the membership is present. Such recall election will be conducted by the Election Committee upon receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the membership.

Section 3 – Vacancies

Vacancies for Regional Council Representative and alternate must be filled in the manner of the original election as prescribed by the IEA Bylaws.

Article VI – Executive Committee

Section 1 – Duties

The Executive Committee shall conduct and supervise the business of the organization, annually recommend a budget for adoption by the membership, undertake such expenditures as are necessary and reasonable for the operation of the organization, consent to the appointment of committees, plan and recommend programs to the membership, develop Bylaws, approve expenditures, and consent to the filling of vacancies. The Executive Committee shall call upon the IEA Director of Business Services to conduct a financial review or audit should they determine circumstances warrant such.

Section 2 – Terms

The term of the office for Executive Committee members, excluding Officers and Regional Council Representative, will be one year and until a successor is elected and shall commence on July 1.

Section 3 – Vacancies

If a vacancy occurs within the Executive Committee, excluding Executive Officers and Regional Council Representative, the President shall appoint a replacement for the unexpired term with the consent by majority vote of the Executive Committee.

Section 4 – Meetings

A. Quorum. A majority of the members of the Committee must be present to conduct business, and a majority vote of those present will rule.

B. Regular Meeting. The Executive Committee shall meet one time per month during the school term, and may meet as many additional times as necessary or reasonable to transact its business.

C. Special Meetings. Special meetings may be called by the President, or may be called upon the written request of the majority of the members of the Executive Committee. Except in cases of emergency, at least 48 hours' notice must be given to all Executive Committee members and business must be limited to that contained in the notice.

Article VII – Elections

Section 1 – Elections Committee

A. Composition. No person running for office may serve on the Elections Committee for that election. The Elections Committee will be appointed by the President and the Executive Committee. These positions are not elected. The Election Committee can consist of anywhere from one person to three people.

B. Duties. Establish procedures subject to the approval of the Executive Committee for nomination of candidates, dissemination of notices concerning the election and conduct of the election and tabulation of the ballots consistent with procedures established by the IEA Elections Committee.

Hear initial election challenges.

C. Vacancies. Should a vacancy occur on the Committee, whether because a member becomes a candidate for office or for any other reason, the vacancy will be filled in the manner of the original appointment.

Section 2 – Election Procedures

A. Calendar. The Elections Committee shall establish a local election calendar with nominations and election timelines.

B. Conduct. All elections will be conducted by open nomination and secret ballot.

C. Nominations. Reasonable notice will be given for nomination to all officers to be filled. Notice will include time, place, and method for submitting nominations.

Candidates may be declared elected when the number of nominated candidates equals the number of positions available, except for the IEA RA and NEA RA delegate elections and any other position where a write-in provision is required.

D. Write-In Provisions. A write-in provision is required if the number of declared candidates is less than the number of positions available and required for IEA RA and NEA RA delegate elections.

E. Eligibility. All active dues paying members must be afforded the opportunity to run for and vote in any election representing active members. This does not include reserved members.

F. Notice. A fifteen (15) day notice of local elections will be given by posting or by other means.

G. Consistency. All election procedures will be consistent with Regional, State and Federal requirements.

H. Use of Dues. No dues may be used in support of a candidate for any Local, Regional, State or National office.

I. Offices Governed by the Article. All Local Officers, Building Representatives, Regional Council Representatives, Delegates to IEA Representative Assembly, and Delegates to NEA Representative Assembly.

J. Runoff Elections. In the event that there is no candidate who has received a majority of the votes cast for a particular office, the Elections Committee shall immediately conduct a runoff election between the two candidates who had received the highest number of votes for that office. However, elections for Delegates to the IEA and NEA Representative Assemblies shall be decided by plurality votes, except where a candidate is elected as a delegate by virtue of being elected as a local officer.

Runoff elections will be run in the same manner as the original election.

K. Results of the Election. The results of the election must be published in a timely manner which allows members to obtain the information without unusual effort.

Section 3 – Election Challenges

Any member desiring to challenge the conduct of any election must file a written challenge according to the procedures as follows:

A. Local Level – Initial challenges to all local elections governed by this Article will be filed with the Local Elections Committee. Such challenges must be made no later than five (5) calendar days of issuance of the election results.

B. Regional, State and National Level – Consult the region, state, and national governing documents for additional challenge procedures and timelines, especially for officers who serve as delegates to the IEA and NEA Representative Assemblies.

Article VIII – Arbitration and Grievance Appeal

The Association is committed to fair representation of all persons within the bargaining unit, regardless of Association membership, as required by law. The Executive Committee shall decide whether or not a grievance will be processed to final and binding arbitration. Recommendations should be provided to the Executive Committee from the Grievance Committee. The affected bargaining unit individual (or designated representative if there are several grievants) has a right to address the Committee before the Committee decided whether to take the matter to arbitration.

Article IX – Committees

Section 1 – Appointment

Committees may be established on an ad hoc basis by the Executive Committee. The President shall appoint members to standing and ad hoc committees and designate the chairperson with the consent to all appointments by the Executive Committee.

Section 2 – Standing Committees

In addition to the Elections Committee, there may be committees formed as necessary by the Executive Committee. Some potential Committees may be: Negotiations, Budget, and Grievance.

Section 3 – Negotiations Committee – Custodial/Maintenance and Paraprofessional

The Negotiations Committee shall explore and prepare programs as necessary in all areas of employee welfare, contractual and otherwise. The committee shall solicit input from the membership as a whole. The Bargaining Team will be appointed by the President with the consent of the Executive Committee.

Section 4 – Grievance Committee

The Grievance Committee shall be responsible for monitoring and enforcing the contract. It shall assist members in the application of the grievance procedure. It may make recommendations whether to arbitrate grievances to the Executive Committee.

Section 5 – Budget Committee

The Budget Committee shall be responsible for presenting an annual budget to the Executive Committee for approval each year.

Article X – Meeting of the Membership

- A. Regular meetings of the membership will be held monthly during the school year. Meetings may be cancelled during the school year or added during non-school times by a vote of the Executive Committee as necessary. A budget shall be adopted annually by the members present which will include at least \$3.00 per member for arbitration, mediation and fact-finding.
- B. Electronic meetings of the membership may be scheduled in lieu of in-person meetings when public health emergencies have been declared or as otherwise determined by the President. Electronic meetings may include telephone conference, video conference, webinar or other method of communications, provided all participants are able to be heard by and communicate with all other participants. Notice requirements, as otherwise required for regular in-person membership meetings, still apply. Quorum requirements for electronic meetings remain in effect. Those who join the electronic meeting should be counted toward a determination of a quorum. All participants in the electronic meeting must be able to be heard by and communicate with all other participants. Minutes must be kept, adding in the additional details of how the electronic meeting was conducted.
- C. Special meetings of the membership may be called by the President, a majority of the Executive Committee, or a petition by thirty (30) percent of the membership. Except in the case of emergency, at least 48 hours' notice shall be given. The Secretary shall notify the membership as soon as possible.

Article XI – Voting

Unless otherwise provided herein, the adoption of all business by the Executive Committee and the membership must be by a majority of those voting. Proxy voting is not permitted. Except in elections, electronic voting is permitted where notice is given to members at least five days before the vote and voting remains open for at least five days after the ballot is delivered, provided that the number of votes cast constitutes a quorum. Electronic voting, for this sole purpose, may consist of voting by email or other electronic means.

Article XII – Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the proceedings of the Association in all cases to which they are applicable and in which they are not inconsistent with the bylaws of NEA, IEA, these bylaws, or any special rules of order the Association may adopt. See Appendix 1 for Suggested Order of Meeting.

Article XIII – Notice

Wherever the word “notice” is used, notice may be given by personal delivery, on paper, electronically or other method to reasonably assure receipt by the necessary parties.

Article XIV – Dues

Local dues will be established by the Executive Committee. The IEA-NEA dues will be transmitted to the IEA-NEA as per IEA-NEA policies. The books and records of the organization will be open to inspection by any member upon reasonable request.

Article XV – Savings Clause

In the event a portion or portions of these Bylaws are found to be inconsistent with state or federal law, such portions to the extent that they violate the law will be deemed deleted and of no force and effect.

Article XVI – Amending Procedures

Proposed revisions of these Bylaws must be submitted by the Executive Committee to the full membership at a regular or special meeting and a two-thirds (2/3) vote of those present will rule, provided that all members of the Association have been sent notice of the date and place of the meeting and the proposed revision(s) at least fourteen (14) days prior to the meeting. A copy of the amended bylaws will be immediately sent to the IEA Executive Office. A review of these bylaws is recommended every five (5) years.

Adopted May 15, 2021

Appendix I

Suggested Order of Meeting

Meeting Called to Order

Pledge of Allegiance

Members Present

Minutes

Report of Committees

Unfinished Business

New Business

New Members

Financial Report

Good and Welfare