

**CONSTITUTION
STATE PROFESSIONAL EDUCATION AND INFORMATION COUNCIL
(SPEIC COUNCIL #1)
Amended– APRIL 30, 2005- Council #1 Representative Assembly
(New language underlined in Article VIII)**

**ARTICLE I
NAME**

The name of this organization shall be the State Professional Education and Information Council.

**ARTICLE II
PURPOSE**

To provide a governance structure through which worksites may cooperatively provide services for their members. To provide mutual assistance and a forum for members of the Education Bargaining Unit. To provide an atmosphere which helps members understand the needs of the workers of the world.

**ARTICLE III
MEMBERSHIP**

1) The Council shall be affiliated with the Wisconsin Education Association Council and the National Education Association.

2) **EXPULSION AND REINSTATEMENT**

The Council #1 Board of Directors shall have the power to censure, suspend, or expel a member organization for nonpayment of affiliate dues and/or per capita tax after due notice and hearing, by a two-thirds roll call vote of the Council #1 Board of Directors at a duly convened meeting of the Council #1 Board of Directors.

**ARTICLE IV
POWERS AND DUTIES OF THE COUNCIL**

1. To hold title to property and equipment.
2. To borrow monies.
3. To employ staff.
4. To carry on programs for its members as provided by this Constitution or the Council Representative Assembly.
5. To assist its members in collective bargaining and grievance processing.
6. To enter into contracts with the WEAC and NEA.
7. To interpret and suggest changes in this Constitution.
8. To elect its own officers.
9. To set its own internal rules of organization.
10. To direct and control the activities of its employees.

**ARTICLE V
COUNCIL REPRESENTATIVE ASSEMBLY**

The Council Representative Assembly shall consist of representatives from each worksite. Said representatives must be enrolled members of Council #1 in good standing. Each worksite, as listed in the Bylaws shall be entitled to one (1) representative for the first ten (10) members and one (1) additional representative for each ten (10) members, or major fraction thereof, beyond the first ten (10). Said representatives shall be elected by secret ballot by each member worksite under its own rules. The Representative Assembly will determine its own rules of procedure. Membership shall be based on the number of full-time and part-time members of that worksite. In determining the number of each worksite's delegates to the Representative Assembly, the membership on the preceding January 1 shall be used. Provisional representatives from new worksites may be approved by the Board of Directors until action is taken to amend the Bylaws at the next Representative Assembly.

**ARTICLE VI
COUNCIL BOARD OF DIRECTORS**

1) FUNCTION

The Board of Directors shall be the executive authority of the Council between meetings of the Representative Assembly.

2) COMPOSITION

a) The Council Board of Directors shall consist of at least two (2) Directors from each caucus. Each caucus shall be entitled to one additional Director for each two hundred (200) members, or major fraction thereof, beyond the first two hundred (200). Membership shall be based on the number of full-time plus part-time plus fair share members of that caucus. In determining the number of each Caucus' Directors, the membership on the preceding March 1st shall be used.

b) The representative of the SPE&IC on the WEAC Board of Directors shall become a member of the SPE&IC Board of Directors and shall be entitled to one vote.

c) In addition to the Directors elected in paragraph (a) and (b) above the officers shall be members of the Board of Directors for the length of their term.

d) No person shall hold two positions on the SPE&IC Board of Directors at the same time. Any member who is elected or appointed to a second position on the Board of Directors shall vacate the first position when that person assumes the duties of the new position.

3) QUALIFICATIONS

a) Each candidate for the SPE&IC Board of Directors must be a member in good standing.

4) TERMS

a) The term of each Director from a caucus shall be for three (3) years beginning on July 1.

b) The SPE&IC representative to the WEAC Board of Directors shall have a term of equal length on the SPE&IC Board of Directors.

5) ELECTIONS

a) The SPE&IC representative and alternate to the WEAC Board of Directors shall be elected at the Spring Representative Assembly of the SPE&IC by secret ballot, by a majority of the members of the Representative Assembly, present and voting in accordance with the bylaws.

b) The members of the board representing caucuses shall be elected by secret ballot by the caucus delegates of each caucus, in accordance with the constitution and bylaws of the SPE&IC.

6) VACANCIES

a) The Vice President shall succeed to the office of President in case of a vacancy in that office during the President's elected term of office. The Board of Directors shall elect a new officer to fill a vacancy in the position of Vice President, Secretary, or Treasurer.

b) The Board of Directors shall fill by appointment any vacancy in representative or alternate to the WEAC Board of Directors, but such appointee shall serve until the position is filled by election at the next possible Council Representative Assembly.

c) Vacancies on the Board of Directors from caucuses shall be filled temporarily by the Board with an appointee from the affected caucus; the appointee shall serve until the vacancy is permanently filled for the remainder of its term (if any) at the next possible Council #1 RA.

7) REMOVAL

a) The Board of Directors shall have the right to remove any elected officer and/or WEAC Director member for just cause, after due notice and hearing. Such vote to remove shall require a two-thirds roll call vote of its entire membership at a duly convened meeting of the Board of Directors. Should there be any dispute as to what constitutes just cause, the matter may be submitted by the affected individual to final and binding arbitration by the American Arbitration Association. The arbitration hearing shall be conducted in accordance with the "Voluntary Labor Arbitration Rules" of the American Arbitration Association, and the costs of the hearing shall be assumed by this Council.

b) Whenever possible, Board members shall notify the President or the Council #1 office in advance if they are unable to attend a Board meeting. The position of any Board member who has more the two (2) unexcused absences during one (1) year shall be declared vacant and filled in accordance with Article VI, Section 6 of the Constitution.

c) Directors from caucuses may be removed for just cause by procedures outlined in a) above. These procedures shall comply with requirements of the Landrum-Griffin Act.

d) Resigning Board members shall submit resignations, with effective date stated, to the President as soon as practicable. The President shall solicit nominations for a replacement from all Council #1 members. In the event the resignation of a caucus director is involved, only members from that caucus will be solicited for nominations. Nominations received by the President must be postmarked within 21 days of the date of the announcement of the vacancy. In the event there are no nominations forthcoming from the above procedure, Board members shall be so informed in the Board agenda sent out before the next Board meeting and shall nominate/select a successor at the next Board meeting.

ARTICLE VII QUORUM

A quorum shall be required for all Council Board of Directors and Council Representative Assembly meetings. The quorum shall consist of a simple majority of the Directors. A quorum is a majority of delegates present at the Representative Assembly.

ARTICLE VIII COUNCIL OFFICERS

The Representative Assembly shall elect annually at the spring meeting the following officers: President, Vice President, Secretary, and Treasurer to take office the following July 1st. Terms of Office: Terms of office shall be limited to no more than five (5) consecutive terms, for the above officers except Treasurer whose number of terms of office shall not be limited. The WEAC Board Representative's term will be consistent with provisions contained in the WEAC Constitution and Bylaws.

ARTICLE IX AMENDMENTS

Amendments to this Constitution shall become effective after being ratified by two-thirds (2/3) of the members of the Council Representative Assembly. Amendments to this Constitution shall be considered at any Council Representative Assembly meeting, provided that the members of the Council Representative Assembly shall have received thirty (30) days notice of the proposed constitutional change and the date of the Assembly meeting at which the proposed change is to be considered. All changes made to the SPEIC Council #1 Constitution shall also apply to the UniServ Constitution.

**ARTICLE X
DISSOLUTION**

The Council may be dissolved by a two-thirds (2/3) vote of those present and entitled to vote at the Representative Assembly regular meeting or special meeting called for that purpose. Upon dissolution, the Council Board of Directors, after making provisions for the payment of all its liabilities, shall dispose of all the existing assets by liquidation and disbursement to participating caucuses of the Council in proportion to their number of members. Alternatively the council may choose to distribute remaining assets among the membership.

A formula for equitable distribution of assets shall be adopted by the Council Board of Directors and such formula shall be incorporated within the official policy manual of the Council Board of Directors.

Any dispute as shall arise over the equity of the distribution of assets hereunder shall be submitted to arbitration by the American Arbitration Association. The Arbitration hearing shall be conducted in accordance with the "Voluntary Labor Arbitration Rules" of the American Arbitration Association and the cost of the hearing shall be assumed by this Council.

Adopted September 1989
Amended May 1990
Amended May 1992
Amended May 1993
Amended May 1994
Amended May 1995
Amended May 1996
Amended May 1997
Amended May 1998
Amended April 2005

5/17/05