

**BYLAWS OF THE
FREDERICK ASSOCIATION OF SCHOOL SUPPORT EMPLOYEES, INC.**

Article I – Name

The name of this association shall be the Frederick Association of School Support Employees, Inc. and shall hereinafter be referred to as FASSE.

Article II – Affiliation

FASSE is affiliated with the Maryland State Education Association (MSEA) and the National Education Association (NEA).

Article III – Purpose and Goals

1. To unify and collectively strengthen educational support personnel throughout Frederick County and to enable members to speak with a common voice on all matters of mutual concern.
2. To represent and protect the rights of individual members before the Board of Education and other legal authorities.
3. To promote the general welfare of members within Frederick County and the state of Maryland.
4. To establish and protect collective bargaining rights.
5. To promote, protect, and support staff development programs, employment benefits, uniform practices, a sustainable retirement system, and safe working conditions for its members.
6. To advance, preserve, protect, and improve a quality public education system for all students.

Article IV – Membership

Section 1: Classes of Membership

Active membership in the Association shall be open to members employed by the Frederick County Board of Education in the non-certificated bargaining unit as determined by negotiation with the Board of Education. Other categories of membership may be determined by the Board of Directors.

Section 2: Eligibility for Membership

- a. All members shall subscribe to the goals of the association and abide by its bylaws.
- b. A person shall not be eligible for active membership in the Association unless he or she maintains membership in MSEA and NEA.

Section 3: Rights of Membership

- a. Active members shall have equal rights and privileges within the organization to nominate candidates for office; hold Association office, vote in elections or on referenda of FASSE; attend membership meetings and participate in the deliberations of and to vote upon the business at such meetings, except as noted below.
- b. Only active members may vote on the ratification of the negotiated contract for their respective bargaining unit.

Section 4: Continuation of Membership

- a. Active membership shall be continuous until the member leaves employment with FCPS system resigns from FASSE, or fails to pay membership dues.

- b. The membership year shall begin September 1st and end August 31st.
- c. Members who fail to adhere to any condition of membership as stated in these bylaws shall be subject to censure, suspension or expulsion.
- d. A member may withdraw from Association membership by notifying the Association in writing at any time. In order to revoke the annual dues authorization, a member must send a letter via US mail to the Association during the designated drop period identified on the membership application.

Section 5: Dues

The Board of Directors shall set the annual dues for Membership of FASSE. Dues shall be set no later than May 15th of each year.

Article V – Officers

Section 1: The officers of FASSE shall consist of President, Vice-President, Recording Secretary and Treasurer.

Section 2: Eligibility

The right to be nominated for and hold an elected office in FASSE shall be limited to active members.

Nominees for the office of President and Vice-President must have been a member of the BOD for no less than two (2) years prior to taking office.

Section 3: Term of Office

The term of office for President, Vice-President, Recording Secretary and Treasurer will be two years, with a limit of three (3) consecutive terms. All elected officers' terms shall begin on July 1st of the first year in office and end on June 30th of the last year in office. The President and Recording Secretary shall be elected in even years; the Vice-President and Treasurer shall be elected in odd years.

Section 4: Vacancies

Except the office of President, whenever an officer is no longer employed by FCPS; not a member of FASSE; resigns; or is removed from office pursuant to these bylaws, the remaining officers have the option to fill the vacancy for the remainder of the term. In the event a vacancy occurs in the office of President, the Vice-President shall assume the office of President until the next election.

Section 5: Duties of Officers

- a. President – The President shall prepare an agenda and preside over meetings of the Board of Directors, Association Representatives and all general membership meetings. The President shall appoint, with the approval of the Board of Directors, members of committees as well as the chairperson of Committees and shall be the Executive Officer of FASSE. The President shall represent FASSE before the public. If the President or Vice-President cannot represent FASSE, the President may designate a member to represent FASSE. The President has the authority to sign jointly all checks for duly authorized vouchers. The President shall report on his/her activities at each meeting of the Board of Directors and membership. The President shall carry out all other duties customarily performed by the president of an Association.
- b. Vice-President – The Vice-President shall assume the office of President in the event the office of President is vacant until the next regular election. The Vice-President shall assume all duties of the President in the President's absence and shall perform any other duties relative to the position of Vice-President. The Vice-President shall be a second signer on checks for duly authorized vouchers.

- c. Recording Secretary – The Recording Secretary shall keep accurate minutes of all meetings, shall prepare such minutes for reproduction and distribution, assist the President with FASSE correspondence, and shall perform any other duties relative to the position of Recording Secretary.
- d. Treasurer – The Treasurer shall be custodian of FASSE funds and serve as one of the joint signatures on all checks. The Treasurer shall submit a report at each meeting of the Board of Directors and General Membership of the financial condition of FASSE and prepare an annual financial statement, which shall be available to all members. The Treasurer shall ensure that the appropriate Federal and State forms are filed. The Treasurer shall serve as chairperson of the Budget and Financial Committee. The Treasurer shall be bonded and the Treasurer’s records shall be audited annually.

Section 6: Removal from Office

- a. If an Officer fails to attend more than three (3) regular meetings of the Board of Directors absent an urgent matter/emergency or unforeseen circumstance as approved by the President, the Board of Directors may remove the Officer and appoint a replacement until the next regular election.
- b. An Officer of FASSE accused of misconduct may be suspended and/or removed from office by the Board of Directors.
- c. Implementation of any suspension or removal for misconduct pursuant to section b of this subsection will be taken only after written notice (including charges) is made to the officer in question and appropriate due process is provided by the Review Board.

Article VI – Board of Directors

Section 1: Board Composition

The Board of Directors shall consist of all the elected officers and one elected director from each of the job categories listed below:

- a. Clerical
- b. Instructional Assistant
- c. Operations (Maintenance/Facilities/Custodians)
- d. Transportation
- e. Food Service
- f. Technology
- g. Director at Large (Community Liaisons/Interpreters)

Section 2: Eligibility

The right to be nominated for, and hold, an elected office in FASSE shall be limited to Active members. Nominees’ only for a Board of Director position must have been members of FASSE for no less than two (2) years prior to taking office.

Section 3: Term of Office

The term of office for all elected Board of Directors of FASSE shall be two (2) years. All elected directors’ terms shall begin the term of July 1st of the fiscal year in office and end on June 30th of the last year in office. Elections for clerical, instructional assistant, operations, and transportation shall be in odd years; elections for food service, technology, and director at large shall be in even years.

Section 4: Vacancies

Whenever a member of the Board of Directors is no longer employed by FCPS system, resigns, not a member of FASSE, or is removed from the Board pursuant to these bylaws, a special election shall be held for members of that job category only.

Section 5: Duties of the Board of Directors

Board Members shall:

- a. Have the power to determine and implement the policy of FASSE.
- b. Attend board meetings on a regular basis.
- c. Assist with the management of FASSE.
- d. Determine the amount of FASSE dues.
- e. Determine an annual budget to be presented to Association Representatives.
- f. Authorize expenditures within the limits of the budget.
- g. Determine programs and objectives.
- h. Act on reports of the committee.
- i. Adopt rules for governing the conduct of meetings as are consistent with these bylaws.

Section 6: Emergency Meetings

If a decision is required in an emergency and the directors cannot meet face-to-face, an on-line conference may be held with at least five (5) hours' notice. After provision of information to, and discussion by the directors meeting as a whole, a vote may be taken electronically. Minutes of the meeting will be kept and approved at the next regular meeting.

Section 7: Removal from Board

- a. If a Director fails to attend more than three (3) regular meetings of the Board of Directors absent an urgent matter/emergency or unforeseen circumstance approved by the President, the Board of Directors may remove the director and elect a replacement until the next regular election.
- b. A Director of FASSE accused of misconduct may be suspended and/or removed from office by the Board of Directors.
- c. Implementation of any suspension or removal for misconduct pursuant to section b of this subsection will be taken only after written notice (including charges) is provided to the Director in question and appropriate due process if provided by the Review Board.

Section 8: Other Considerations

Any member of FASSE, who is not a member of the Board of Directors, may attend its meetings and may receive permission to speak regarding any business with the consent of the president or the majority of those Board members present, except when the Board is in executive session.

Article VII – Association Representatives

Section 1: Association Representatives shall serve as the primary communication point for the members at their work site.

Section 2: Association Representative should be elected as follows:

- a. There shall be at least one (1) Representative from each work site elected by the members at that work site.
- a. Representatives' elections shall be held the first week of each school year.
- b. Representatives shall attend all Representative Assemblies and General Membership meetings, or select an alternate attendee from their work site.
- c. Work site membership may, at any time during the year, hold an election for a new Representative if for any reason the seat becomes vacant.

Section 3: The duties and responsibilities of the Association Representatives shall include:

- d. Representatives will organize building meetings with members to share and collect information.
- e. Association Representatives will promote membership in the Association at their work site.
- f. Association Representatives shall approve the budget.
- g. Association Representatives shall approve the local dues.

Article VIII – Meetings

Section 1: Board of Directors

The Board of Directors shall meet monthly, or at the request of a majority of the members.

Section 2: Association Representatives

Association Representative meetings shall be held monthly.

Section 3: Special Meeting

Special meetings may be called by the President, a majority of the Board of Directors, or at the call of at least ten percent (10%) of the members with no less than ten (10) working days' notice.

Article IX – Quorum

Section 1: A majority of the filled positions on the Board of Directors shall constitute a quorum for the meeting of the Board of Directors.

Section 2: The members present shall constitute a quorum for the Association Representative meetings provided not less than 20% of the Association Representatives are in attendance.

Section 3: The members present shall constitute a quorum for the General Membership meetings provided not less than 20% of the membership is in attendance.

Article X – Committees

Section 1: Standing Committees

All Committee Chairpersons shall be appointed by the President and approved by the Board of Directors no later than October 1st.

Standing Committees shall be:

- a. Negotiating Team(s)/Negotiating Committee
- b. Membership Committee
- c. Nominations Elections and Credentials Committee
- d. Sick Leave Bank
- e. Ethics Committee
- f. Any other committee established as a standing committee by the President and approved by the Board of Directors.

Section 2: Duties and Responsibilities

Duties and responsibilities of all Standing Committees, except the Nominations, Elections and Credentials committee, will be determined by Standing Rules adopted by the Board of Directors. The Nominations, Elections and Credentials Committee shall establish their own standing rules which will be reviewed by the Board.

Section 3: Special or Ad Hoc Committees

Each year the President shall appoint Ad Hoc or Special Committees, or task forces, as may be necessary, and shall disband them upon completion of objective.

Article XI – Elections

Section 1: The NECC shall prepare guidelines for the nomination, accreditation and election of officers, directors and local delegates to MSEA and NEA Conventions. Election guidelines for local delegates to MSEA and NEA Conventions shall be consistent with the MSEA and NEA requirements.

Section 2: The Committee shall present the proposed guidelines, and an election calendar, annually to the Board of Directors for review and adoption by December 31. Elections shall be held in accordance with the guidelines adopted by the Board of Directors.

Section 3: These election guidelines shall include provision for the following:

- a. Open nominations.
- b. The distribution and collection of nominating forms and preparation of the candidate slate.
- c. The publication of the list of nominations prior to and during the election.
- d. Secret ballot election by active members only.
- e. Conformity with the one-person one-vote rule.
- f. The tally of the ballots or the validation of the results from an on-line election.
- g. The election of Officers and Directors by a majority of the valid ballots cast or by acclamation where only one candidate is nominated.
- h. Announcement of election results to the membership within one week of the close of the election.

Section 4: The NECC shall be the final arbiter of election disputes. Any election challenge must be presented to the Committee within five (5) work days of the announcement of the results.

Section 5: The NECC shall ensure that guideline provisions in sections 3.4, 3.5, 3.6 and 3.8 of this Article are implemented in votes taken on bylaws amendments, recall of an officer or director, and contract ratification.

Article XII – Recall

Section 1: An officer or director may be recalled for an unlawful act or for misconduct or gross negligence in office.

Section 2: Recall proceedings against an officer or director may be initiated by written petition submitted to the Board of Directors by at least fifteen (15) percent of elected members of the Representative Assembly; by 25% of the active membership; or by majority vote of the Board of Directors.

Section 3: Upon receipt of such petition or upon such action by the Board of Directors, the officer or director named shall be suspended from duty pending the outcome of the recall process.

Section 4: Having been appointed according to Article XIII, the Review Board shall hold a due process hearing. If a two-thirds (2/3) majority of the Review Board sustains the charge against the officer or director, ballots shall be prepared for a membership vote on the recall.

Section 5: A 2/3 majority of members voting on recall shall be required to recall. Upon recall, the office shall be declared vacant.

Article XIII – Review Board

Section 1: When required, a Review Board shall be appointed by the President and approved by the Board of Directors. Members of the Review Board shall hold no elected office in the local Association.

Section 2: The Review Board shall adopt its own rules of procedure consistent with due process and these bylaws.

Section 3: A Review Board may be appointed as in Section 1 to review, rule on, and/or propose remedial action on:

- a. Alleged ethical violations by any member serving in an elected or appointed capacity.
- b. The censure, suspension, or expulsion of a member.
- c. The action of the Board of Directors or Representative Assembly regarding consistency with bylaws.

Article XIV – Contract Ratification

Section 1: Active members of the Association who are also members of the bargaining unit governed by a proposed contract are eligible to vote on the ratification of a proposed contract or negotiated agreement. A majority of those voting is necessary to ratify the proposed contract.

Section 2: At least one informational meeting shall be held prior to the ratification vote. This meeting shall be held as close in time as possible to the determination of the final proposal and within a week prior to the ratification vote.

Section 3: The complete and final language and monetary details of proposed contract changes must be distributed physically or electronically to those eligible to vote on the contract prior to or simultaneous with the vote on ratification.

Section 4: The ratification vote may be held at a meeting of those eligible to vote, or by paper ballot or electronic vote.

Section 5: Notice of the ratification meeting or a paper ballot or electronic vote shall be provided to those eligible to vote at least three (3) days prior to the scheduled event.

Section 6: The NECC shall be responsible for verifying the eligibility of voters, tallying, verifying and announcing the outcome of the ratification vote.

Article XV - Fiscal Year

The fiscal year of FASSE shall begin July 1st and shall end June 30th.

Article XVI – Authority

Robert’s Rules of Order (latest edition) shall be parliamentary authority for FASSE and for all questions not covered by these bylaws or Standing Rules adopted by the Board of Directors.

Article XVII – Amendments

Amendments to these bylaws may be proposed by the Board of Directors, by recommendation from the Bylaws Committee with approval of the Board of Directors, or by a petition to the Board of Directors signed by 20% of the general membership.

Each proposed amendment must have been introduced and approved at a Board of Directors meeting prior to presentation to the general membership.

These bylaws may be amended by a two-thirds majority of the General Membership voting, providing that no less than 25% of the membership is in attendance and written copies of the changes have been distributed at least (30) calendar days in advance of the vote.

BYLAWS OF THE FREDERICK ASSOCIATION OF SCHOOL SUPPORT EMPLOYEES, INC.

These bylaws were presented to the Board of Directors on _____,
by the Bylaws Committee consisting of Kimberly Herndon (Chair) and Lynda Wagner.

Approved by the Board of Directors for submission to the MSEA Legal Department on: _____

Approved by the MSEA Legal Department on: _____

Distributed to the General Membership on: _____

Approved by the General Membership on:

Signature: _____ Date: _____
FASSE President

Signature: _____ Date: _____
FASSE UniServ Director

Signature: _____ Date: _____
MSEA Legal Department