

R-5

Rules and Regulations of the MEA Representative Assembly

(Adopted by the 1990 Fall Representative Assembly and amended Spring 1998, Spring 2001, Spring 2003, Spring 2005, Fall 2008, Spring 2010, Spring 2012, Spring 2014 and Spring 2018)

I. Rules and regulations

- A. The Representative Assembly of the Michigan Education Association shall operate in accordance with the MEA Constitution, Bylaws, and rules and regulations incorporated herein and appended.* These rules and regulations as adopted by the previous Assembly shall be submitted at each Assembly for amendment and approval by the delegate body.
- B. Proposed amendments to the rules and regulations may be submitted by any member of the delegate body, constituent unit of the Association or Board of Directors.
- C. Rules and regulations and amendments thereto shall become effective immediately upon their adoption.

II. Committees

- A. Necessary committees for the Representative Assembly and their chairpersons shall be appointed by the president at least fifteen (15) days prior to the Representative Assembly for three (3) year terms. *(2018 Spring RA)*
- B. Committees of the Representative Assembly, consisting of delegate members, shall include a Credentials Committee with duties and responsibilities as enumerated in these rules and regulations.
- C. The Credentials Committee shall consist of seven (7) members and shall include at least two (2) MEA Board members.
- D. The Elections Committee shall consist of nine (9) members. All members shall be responsible for the election and campaign process as stipulated in Appendix A.*
- E. The Resolutions Committee shall consist of ten (10) members as provided in the MEA Bylaws, VII-F.
- F. Retired members of MEA-Retired who are delegate members of the Representative Assembly shall be eligible for appointment to committees of the Representative Assembly. *(2012 Spring RA)*

III. Registration and seating of delegates

- A. The Credentials Committee shall be responsible for the accreditation of delegates and alternates at the meetings of the Representative Assembly. The decisions of the Credentials Committee shall be final unless overruled by the Assembly. An appeal to the Assembly may be made by any delegate. The chairperson of the Credentials Committee shall present to the Assembly periodically the names of delegates duly registered for seating by the Assembly.
- B. The rights of a delegate to a seat in the Assembly may not be challenged after the adoption of the report of the Credentials Committee.
- C. The Credentials Committee shall be furnished a list of those delegates and alternates who have been duly certified by presidents of the local associations. Alternates registering at the Assembly not previously certified shall present evidence of their certification to the Credentials Committee. In the event a registered delegate leaves the Assembly for an emergency reason, a duly qualified alternate may be certified by the Credentials Committee and reported to the Assembly for seating by the Assembly.
- D. Seating of delegates and members of the body shall be as follows:
 - 1. Meetings of the Representative Assembly shall be open to members of the Association insofar as seating arrangements permit.
 - 2. During the time of seating of delegates and during any general session or business meeting of the Assembly, members of the Board of Directors shall be seated with the respective region delegations on the floor of the Assembly.
 - 3. Delegates shall be seated on the floor of the Assembly by regions. The seating plan shall be approved by the president.
 - 4. Staff shall be assigned an area where they will be available for easy consultation by the delegates.

* Refer to Appendix A.

IV. Order of business and debate

- A. The *order of business* shall be adopted at the opening meeting of the Representative Assembly, but may be amended by a majority vote of the delegate body at any time during the proceedings.
- B. All current resolutions, items of new business and budget proposals presented to the Representative Assembly of the MEA must be submitted in writing according to the following procedures:

Two-day Representative Assembly by 6 p.m. or one hour after the close of session whichever is earlier on the first day of the meeting; three-day Representative Assembly by 9 a.m. on the second day of the meeting. (2018 Spring RA)
- C. All new business items introduced to the MEA Representative Assembly shall include a brief summary of the rationale concerning the item's purpose.
- D. At least thirty (30) days prior to the Representative Assembly, the status of action on all new business items passed by the previous Assembly shall be reported to the delegates. This report shall be similar to the report now issued on MEA goals and objectives.
- E. All current resolutions, items of new business and budget proposals shall be circulated to members of the Assembly on the day they are presented. Action on these items shall be taken according to the order of business adopted by that Assembly.
- F. Each session of the Representative Assembly shall include at least one (1) hour of business consisting of any of the following:
 - 1. Order of Business
 - 2. Rules and Regulations
 - 3. Goals and Objectives
 - 4. Resolutions
 - 5. Budget
 - 6. Constitution and Bylaws
 - 7. New Business
 - 8. Reports
- G. The Resolutions Committee shall determine which are items of new business, which are resolutions and which are budget proposals.
- H. A secret ballot shall be used in voting on any motion or resolution at the request of a simple majority of those members present.
- I. At the request of any delegate and after ascertaining that nine (9) other delegates desire a poll of the region delegations, then the chair will conduct such a poll on any question before the Assembly. A poll of the delegations is for the specific purpose of verifying the last standing or voice vote of the delegates. Therefore, only those delegates who participated in the original vote may participate in the poll of the delegations. Such polls of the region delegations shall be reported to the chair by the region caucus chairperson or vice chairperson. The report to the chair shall include: 1) the name of the person reporting; 2) the region for which the person is reporting; and 3) the position of the person reporting within the region delegation.
- J. A motion to reconsider may be made by any delegate regardless of his/her vote on the motion to be considered.
- K. A motion to adopt, when the matter under consideration is a committee, commission or task force report, may be made by the chairperson of the committee, commission or task force and will require two (2) seconds from the delegate body. The adoption of the report does not include approval of recommended or requested appropriations.
- L. No member speaking on an issue may move the previous question.
- M. Any member of the Representative Assembly, as defined in Article VII, Section 2b, of the MEA Constitution, shall have all the rights accruing to a regularly elected delegate or alternate except the power to vote.
- N. Regarding all business before the Assembly, after the maker of the motion has had an opportunity to speak to the motion, the chair shall ask if anyone wishes to speak against. Hearing none, the question shall be put to the body.
- O. The budget and new business items with budgetary impact shall be placed for consideration by the Representative Assembly no later than the beginning of the first morning session of the last day of the Representative Assembly.

V. Amendments to Constitution and Bylaws

- A. Proposed amendments to the Constitution and Bylaws shall be submitted in accordance with the provisions of the MEA Constitution, Article XVI.
- B. Wording of proposed amendments to the Constitution shall not be changed by the Representative Assembly except for technical changes such as numbering of sections, correction of typographical errors or punctuation.

- C. Wording of proposed amendments to the Bylaws may be changed by the Assembly, provided such wording changes are submitted in writing by 9 a.m. of the second day of the meeting.
- D. Adoption of new sections or articles shall include technical changes in the numbering of sections and articles which follow.

VI. Nominations

- A. Nominations for elective office shall be made in the following order: president/alternate NEA state director, vice president/alternate NEA state director, secretary-treasurer/alternate NEA state director, Minority Person 3-1(g), education support professional, higher education persons on the MEA Board, NEA state directors, alternate NEA state directors and commission members.
- B. Nominations for each elective office shall be made from the floor microphones and shall be by name, local association and MEA region only.
- C. No motion shall be required to open nominations. The chair shall close nominations when it is obvious there are no other candidates to be presented.
- D. Candidates for president who are nominated shall be given an opportunity to address the delegate body, such presentation to be limited to five (5) minutes per candidate.
- E. Candidates for vice president and for secretary-treasurer who are nominated shall be given an opportunity to address the delegate body, such presentations to be limited to four (4) minutes per candidate.
- F. Candidates for Minority Person 3-1(g), education support professional, higher education persons on the MEA Board, NEA state directors and alternate NEA state directors who are nominated shall be given an opportunity to address the delegate body, such presentations to be limited to three (3) minutes per candidate.
- G. Candidates for elective office shall address the delegate body in reverse order of nomination.
- H. In the event that the number of candidates is equal to the number of vacant positions, no speeches shall be given by the candidates.

VII. Elections

- A. The Elections Committee shall be responsible for campaign practices and conducting the elections held during the Representative Assembly and for determining the number of votes cast in a poll of the delegation or on a secret ballot.*
- B. All elections shall be by printed ballot. The ballot must provide the opportunity to vote for a slate or individual candidates. When the number of candidates is equal to the number of vacancies, there is no need for a printed ballot and the candidates can be declared elected by acclamation.
- C. The ballot for each office shall state all elected positions in which successful candidates will serve.
- D. Candidates for MEA office shall be disqualified from serving on the Elections Committee.
- E. A candidate receiving a majority of the votes of the delegates registered shall be declared elected except in any election where there is only one more candidate than available position(s). In these elections all impacted positions will be elected by plurality on the first ballot, unless a tie exists for the last (or only) position. (*Spring 2014*)
- F. If a sufficient number of candidates have not received a majority of the votes of the delegates registered, another election shall be held. The runoff ballot shall list those candidates who, in descending order of votes cast, received the highest number of votes on the previous ballot, listing one (1) more candidate than the number of positions to be filled. The candidate(s) receiving the highest number of votes cast shall be declared elected. Where there are multiple vacancies, and terms are for different lengths, the candidate(s) receiving the highest number of votes will be declared elected to the longest term. The candidate receiving the next highest number of votes cast will be declared elected to the shorter term, etc.
- G. Write-in and/or blank ballots shall not be counted as votes cast. Write-in ballots will be counted for NEA Board/alternates and MEA officers.
- H. The Elections Committee, in announcing the results of balloting for president, vice president, secretary-treasurer, Minority Person 3-1(g), education support professional, higher education persons on the MEA Board, NEA state director, and alternate NEA state director shall give the name of each candidate and the number of votes received by that candidate.

VIII. Campaigning

- A. Distribution of campaign materials shall be limited to the registration area. No materials, posters or other campaign literature shall be placed in the general meeting area, at meal functions or on the registration desk.

* Refer to Appendix A.

- B.** All campaigning shall cease at midnight of the day prior to the election.
- C.** All campaign materials must be removed from the convention center prior to the established time for the polls to open.
- D.** No campaign materials may be distributed or worn after the polls are open on the day of elections.
- E.** Campaign practices which are deemed violations of campaign regulations by the Elections Committee or which are charged as violations of campaign regulations by a delegate shall be brought to the Elections Committee for decision regarding the validity of the election or ballot.
- F.** Decisions of the Elections Committee may be appealed to the Representative Assembly if it is still in session or to the Board of Reference if the Representative Assembly at which the contested election occurred has adjourned.

IX. Smoking prohibition

There shall be no smoking in the Representative Assembly or in related caucus meetings. *(2018 Spring RA)*

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Campaign Regulations for Candidates for MEA Office

I. Introduction

The following campaign regulations are issued to assist candidates for the offices of president, vice president, secretary-treasurer, NEA state directors, alternate NEA state directors, Minority Person 3-1(g), education support professional, and higher education persons on the MEA Board in complying with reasonable rules of campaigning. The objective of the regulations is to permit flexible campaign activities and, at the same time, to protect candidates and the Association from campaign practices that could jeopardize the campaign of the individual or the conduct of Association business.

The following regulations are consistent with the relevant provisions of the MEA Constitution, Bylaws and Rules and Regulations of the MEA Representative Assembly adopted by the Representative Assembly.

Candidates for NEA state director and alternate NEA state director should secure a copy of the NEA Campaign and Elections Requirements to ensure compliance with further relevant NEA provisions.

The candidate has the responsibility to see that all campaign workers are aware of and abide by these rules and regulations. Violation of these rules and regulations by the candidate or his/her campaign workers may result in disqualification of the candidate and/or invalidation of election results.

II. Definition of terms

- A. **Campaign year.** For an MEA office that is filled by election by the Representative Assembly, the campaign shall be limited to one (1) year beginning at the close of the Representative Assembly in a given year and shall terminate the following year at midnight of the day prior to the election; and in the case of run-off elections, the campaign shall terminate at midnight of the day prior to the run-off election.
- B. **Campaign revenues.** Campaign revenues shall mean financial contributions in goods and/or services made available to the candidate by groups or individuals. Volunteer service is excluded from this provision.
- C. **Campaign expenditures.** Campaign expenditures shall include travel to regional meetings, state board meetings, state Association annual meetings, and local association meetings by the candidate or his/her surrogate; costs connected with printing of biographical or other material directly advancing the position of the candidate on issues pertaining to the office being sought; mailing of said material; operation of hospitality suites during the campaign year whether such suites are funded by the candidate or by friends within or outside of the candidate's region; expenditures associated with travel, meals and lodging; and giveaway items such as balloons, buttons, favors, etc.
- D. **Campaign activities.** Campaign activities shall include those activities (e.g., speeches, receptions, personal visits, press interviews, and radio and TV appearances) which contribute to the candidate's attempt to persuade the voting constituencies of his/her merits in the pursuit of the office in question.
- E. **Campaign materials.** Campaign materials shall include posters, brochures, biographical sketches, position papers, buttons or any objects or printed materials bearing the name of a candidate or promoting the candidacy of an individual for MEA office. Newspaper ads, billboards, radio and/or television interviews or participation in talk shows, the tapes of which may be disseminated to advance the candidate's campaign, also shall fall into the classification of campaign materials.

III. Nomination procedures

Persons may become candidates for offices of MEA president, vice president, secretary-treasurer, NEA state director, alternate NEA state director, Minority Person, 3-1(g), education support professional, and higher education persons on the MEA Board by declaring such candidacy in a letter/e-mail to the MEA Executive Office. Candidates for president and vice president must declare as a slate. Such letter must be received at least sixty (60) days prior to the date set for the beginning of the MEA Representative Assembly. Such candidates must be nominated from the floor of the Representative Assembly in accordance with MEA/NEA governance documents. In the event that no nominations for the offices of president, vice president, secretary-treasurer, NEA state directors, alternate NEA state directors, Minority Person 3-1(g), education support professional, or higher education persons on the MEA Board have been announced sixty (60) days prior to the Representative Assembly, the MEA Board of Directors shall appoint a nominating committee to name two (2) candidates for president, two (2) candidates for vice president, two (2) candidates for secretary-treasurer, two (2) candidates for each NEA state director position, two (2) candidates for each alternate NEA state director position, and two (2) candidates for each Minority Person 3-1(g), education support professional, and higher education positions on the MEA Board, not later than thirty (30) days prior to the Assembly at which the election is to be held. (2018 Spring RA)

IV. Campaign practices and activities

- A. During the campaign year (as defined in Section II), candidates for MEA office or their designees may engage in the following campaign activities:
 - 1. Distribute written or printed materials promoting their candidacy. The MEA will furnish candidates with mailing labels and/or will distribute campaign materials at the candidates' own expense.

Clarification of Subsection 1 will be found in Section V-C.

2. Hold meetings, rallies or fund-raising activities. Associations may sponsor debates or publish biographical data regarding candidates, as long as all candidates for the same office are invited to participate.

V. Campaign financing

- A. **Prohibitions.** No candidate for MEA office may directly or indirectly finance his/her campaign activities with MEA or district dues, except as provided in sections V-B and C. Candidates are prohibited from accepting contributions consisting in whole or in part of dues or assessments and are prohibited from utilizing, without cost, MEA or district assets, facilities, equipment, staff, credit, or newspaper advertisement.

Candidates for office are not to utilize Association staff members in their campaign programs, except as otherwise stated in the campaign regulations and guidelines. No PAC funds may be used by any candidate for campaign purposes.

Under no conditions may candidates for MEA office utilize funds or contributions from employers of MEA members or their agents.

- B. **Appropriate use of dues.** Dues may be utilized to issue notices regarding the nomination of candidates and the scheduling of the election, to publish factual statements of the issues not involving candidates, to meet the expenses of holding the election, to sponsor a debate or reception at which all candidates for a particular office are afforded equal opportunity to express their views to the membership prior to the election, to publish in the MEA or district newspaper or other official publication the views of candidates, as long as equal coverage is provided to all candidates.

The reception noted above may be a Meet the Candidates Night for all announced candidates as part of the Representative Assembly program.

- C. **Reimbursable expenses.** The following guidelines shall be used for partial reimbursement of campaign expenses:

1. **Travel.** Travel by candidates for offices elected by the MEA Representative Assembly, excluding commissions to one (1) meeting within each region shall be reimbursed by the state Association according to MEA expense policies, provided all candidates for each office are invited to attend that meeting and are afforded equal opportunity to express their views. This meeting may be (but is not limited to) one (1) of the following: a region council meeting, Representative Assembly caucus, one (1) local association meeting.

Reimbursed travel expenses must be reported as specified in Section VI-B.

The calendars of meetings qualifying for reimbursement will be developed by the Elections Committee based upon input from the regions.

2. **Mailing labels.** Upon request by a candidate for an office elected by the MEA Representative Assembly, the MEA shall provide one (1) set of mailing labels of MEA Representative Assembly delegates at MEA expense.
3. **Mailing of brochures.** Upon request by a candidate for an office elected by the MEA Representative Assembly, the MEA shall include with Representative Assembly materials a candidate's brochure. Cost of mailing will be at MEA expense. The cost of brochure mailing to be included in the Representative Assembly packet need not be reported as an expenditure. The cost of printing these brochures shall be reported.
4. **Electronic campaign literature drop.** Upon request of a candidate for an office elected by the MEA Representative Assembly, the MEA shall provide one campaign literature drop utilizing the MEA.org or MYMEA.org system of e-mail addresses. Said e-mails cannot be generated by candidates or their supporters from the MEA.org or MYMEA.org system. The Executive Office shall develop a procedure and timelines for submitting requests. E-mail addresses may not be shared or sold.

The MEA.org and MYMEA.org electronic mail systems and MEA-managed sites, pages or presence on social networking platforms (e.g. Facebook, Twitter, etc.) may not be used for the purpose or effect of advancing a candidate's campaign for election to MEA office.

No candidate shall be reimbursed for any campaign expense unless he/she has declared candidacy at least sixty (60) days prior to the date set for the beginning of the Representative Assembly or has been nominated by the Board-appointed nominating committee. (2018 Spring RA)

Violation of these guidelines by any candidate or by any of his/her designees may result in disqualification of the candidate and/or invalidation of the election.

VI. Reporting of campaign expenses and revenues

A. **Campaign expenses.** Campaign expenditures as listed in Section II-C must be reported on forms provided by the Elections Committee to the MEA executive director seven (7) days prior to the Representative Assembly. A list of individuals or groups contributing more than twenty-five dollars (\$25) must be submitted with this report.

B. **Travel.** Any travel by a candidate or a designee of a candidate consistent with the definition in Section II above shall constitute a legitimate campaign activity, and actual expenses thus incurred, including those reimbursed by MEA, must be reported.

Travel expense and reimbursement computation shall be at the current mileage rate allowed by MEA for such expenses.

Any incumbent candidate entitled to use a staff car, using it for campaign travel, must compute this personal mileage as campaign mileage and report it as a campaign expense.

C. **Written materials.** Cost of printing and distribution of written and/or printed materials consistent with the definition in Section II-E above shall constitute a legitimate campaign activity and actual expenses thus incurred must be reported.

Distribution of brochures with Representative Assembly materials need not be reported and neither do the expenses of the first set of mailing labels supplied by the MEA.

D. **Mailing labels.** Additional sets of mailing labels may be requested and shall be made available by the MEA at actual cost. The cost of these additional sets of mailing labels must be reported as a campaign expense.

E. **Revenues.** All campaign revenues as defined in Section II-B must be reported. Contributions by individuals or groups in excess of twenty-five dollars (\$25) must be reported by name and amount.

All candidates for MEA office must file a postelection campaign statement within seven (7) days after the election. Forms may be obtained from the MEA Executive Office and shall be filed with the same office and reviewed by the Elections Committee within thirty (30) days after filing.

A candidate is responsible for documentation of any expenses and revenues related to his/her campaign (as specified in these regulations) beginning at the time candidacy is announced, any time after the close of the previous Representative Assembly. (2018 Spring RA)

VII. Elections Committee

A. **Membership.** An Elections Committee, consisting of nine (9) members appointed by the MEA president and confirmed by the Representative Assembly, is hereby created to oversee and enforce MEA election procedures. Three (3) committee members shall be chosen each year. No more than one (1) committee member shall be selected from a region. Terms of appointment are for three (3) years, with a six (6) year limit on service. Initial appointments shall be on a staggered basis: three (3) one (1) year terms, three (3) two (2) year terms, and three (3) three (3) year terms.

B. **Duties.** The committee shall establish campaign practice guidelines, develop appropriate reporting forms, report campaign expenses and revenues to the Representative Assembly and investigate campaign complaints.

C. **Powers.** The committee shall be empowered to secure records and testimony, hold confidential hearings, report violations of campaign standards, issue cease-and-desist orders, reprimand offenders and invalidate a given ballot for cause. Decisions of the Elections Committee may be appealed to the Board of Reference pursuant to Article XII of the MEA Constitution.

D. **Conflict of interest.** A member of the Elections Committee who seeks statewide office or who participates in the campaign of a statewide candidate shall resign from the Elections Committee.

The committee shall respond to all inquiries relative to permissible campaign expenditures and activities review all filings made pursuant to Article V and investigate and resolve all complaints. The Elections Committee shall possess such additional duties as are necessary to fulfill its charge to oversee MEA elections and to enforce MEA election procedures.

VIII. Complaint procedure

Any member in good standing who believes there has been a violation of any of the established election guidelines and procedures may file a complaint with the MEA Elections Committee within ten (10) days after the occurrence of the alleged violation. Such complaint shall contain the name and address of the person filing the complaint, the name and address of the candidate or other person claimed to be in violation, the office in question, an accurate description of the occurrence of the violation, including section of campaign regulation alleged to have been violated, and the signature of the complaining party. Such complaint shall be notarized and a copy of the complaint shall be sent by the MEA Elections Committee to the person claimed to have committed the violation.

After receipt of any properly filed complaint, the MEA Elections Committee shall have up to sixty (60) days to investigate the same and to render a decision dismissing the complaint or finding a violation and declaring a penalty. Violations may result in the disqualification of a candidate and/or invalidation of election results. If an election is set aside, the MEA Elections Committee shall, after consultation with the involved candidates, decide a new election date.