

LOCAL CONSTITUTION AND BYLAWS—CHECKLIST
Revised January 2020

The following items in this checklist should be found in your local's constitution and bylaws. As you review your documents, make sure that you included all of the items, even if your local is currently too small to have to meet the requirements.

Also be aware of the following as you update your local governance documents.

- Review your governance documents to make sure that statements found in different portions of your governance documents do not conflict with each other. A common example of this is when the local President also serves as the first NEA Representative Assembly delegate. In this case, the terms of office must coincide.
- At the National and State levels, Educational Support Personnel has been changed to Educational Support Professionals. It is the local affiliate's choice whether to change its name to reflect this change.
- There may be no provision which places any limits within the active membership in good standing on who may be elected to office (e.g., only tenured members may run for election).
- Local documents may provide provisions for election by acclamation when the number of candidates is equal to the number of positions to be filled. (MEA Bylaw V-A in reference to MEA RA delegates)
- For details on proper local election procedures, refer to "Local Association Election Guidelines."
- Election procedures for all positions may be combined into one procedure. Should a local wish to elect Local Officers, MEA Representative Assembly delegates, NEA Representative Assembly delegates, and additional Region Council delegates all at one time, the election must take place prior to April 1.
- If your local is considering using MEA Online Election system for local elections, contract ratification votes, etc., make sure that your constitution and bylaws do not have any language that might prohibit this (i.e. all elections must be conducted using a paper ballot.) Prototype language to allow online elections is included in the Prototype Constitution and Bylaws.
- If, in updating your documents, you use the prototype language, make sure that you have filled in all blanks.

	Requirement	Page	Article & Section	Reviewer Notes
1.	Name The local is an affiliate of the MEA/NEA. <ul style="list-style-type: none"> • <i>This requirement is found in Art. V, Sec. 2 and Art. XIV, Sec. 1 of the MEA Constitution</i> • <i>[Prototype Example: Constitution, Art. I]</i> 			
2.	Membership a. Membership in the state and national associations is required of all local members. <ul style="list-style-type: none"> • <i>This standard is found in MEA Bylaw II (A), MEA Bylaw XII (B)3, and NEA Bylaw 8-7.c.</i> • <i>[Prototype Example: Constitution, Art. III, Sec. B]</i> b. No member may be censured, suspended or expelled without a due process hearing, which shall include appropriate appellate procedures. <ul style="list-style-type: none"> • <i>This standard is found in MEA Bylaw IV (A) and NEA Bylaw 8-7-G.</i> • <i>[Prototype Example: Constitution, Art. III, Sec. C]</i> c. Compliance with dues transmittal policy is required to be considered a member in good standing and receive benefits of membership. <ul style="list-style-type: none"> • <i>This standard is found in Art. III, Sec. 3 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. III. Sec. D]</i> 			
3.	Officers a. The election of officers shall take place at least once every three years. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 7 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. A]</i> b. Member in good standing status is required to be candidate for or hold an association office or position. <ul style="list-style-type: none"> • <i>This standard is found in MEA Bylaw IV (A)</i> • <i>[Prototype Example: Constitution, Art. IV. Sec. B]</i> 			

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4.	MEA Representative Assembly Delegates			
	Provision for the election of MEA Representative Assembly delegates. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec.2 & 5 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. C-E]</i> 			
	a. The term of office for each MEA Representative Assembly delegate is two or three years. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (A) and MEA Administrative Policy VIII.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. C]</i> 			
	b. Election of MEA Representative Assembly delegates takes place prior to June 1. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (B) and MEA Administrative Policy VIII.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. C]</i> 			
	c. Locals with 4 or more delegates will elect Representatives of Minority Persons, 3-1G as MEA RA delegates. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (F) and MEA Administrative Policy VIII.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. C]</i> 			

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5.	NEA Representative Assembly Delegates			
	Provision for the election of NEA Representative Assembly delegates. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec.2 & 5 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. C-E]</i> 			
	a. The term of office for each NEA Representative Assembly delegate is not to exceed three years. <ul style="list-style-type: none"> • <i>If the president serves as the MEA RA delegate, the terms of office must coincide.</i> • <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, and NEA Bylaw 3-3.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. D]</i> 			
	b. April 1 is the deadline for election of local NEA RA delegates. <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XI (C)(1).</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. D]</i> 			
	c. Locals with 3 or more delegates will elect Representatives of Minority Persons, 3-1G as NEA RA delegates. <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XI (C)(3).</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. D]</i> 			
6.	Region Council Delegates			
	Provision for the election of region council delegates. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec.2 & 5 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. E]</i> 			

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7.	Governing Body			
	<p>a. At least one MEA RA delegate must be a member of the local governing board.</p> <ul style="list-style-type: none"> • <u><i>This provision must be met even if the local is not large enough to have its own MEA RA delegate at this time. This includes a local's cluster delegate, if applicable.</i></u> • <i>This requirement is found in Art. V, Sec. 4 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. F-1]</i> 			
	<p>b. Representatives of Minority Persons 3-1G are elected so that the number of Representatives of Minority Persons 3-1G on its governance body is at least proportionate to its Minority Person 3-1G membership.</p> <ul style="list-style-type: none"> • <u><i>This provision must be included even if the local is not large enough to have its own MEA RA delegate at this time.</i></u> • <i>This requirement is found in MEA Bylaw XII (B)(1).</i> • <i>[Prototype Example: Constitution, Art. IV, Sec. F-2]</i> 			
8.	Direct Legislation			
	<p>a. Provision for submission by and voting on initiatives and referenda by the membership.</p> <ul style="list-style-type: none"> • <i>This standard is found in MEA Bylaw XV.</i> • <i>[Prototype Example: Constitution, Art. V, Sec. A & B]</i> 			
	<p>b. Procedures are in place for the recall of elected officers.</p> <ul style="list-style-type: none"> • <i>Some specific details of elections and recalls may be left to a committee, but there must be enough detail in the local C&B to insure that election/recall of elected officers will be handled properly</i> • <i>This requirement is found in Art. V, Sec. 7 of the MEA Constitution.</i> • <i>[Prototype Example: Constitution, Art. V, Sec. C.]</i> 			
	<p>c. There must be procedures for the recall of MEA RA delegates for just cause.</p> <ul style="list-style-type: none"> • <u><i>This provision must be included even if the local is not large enough to have its own MEA RA delegate at this time.</i></u> • <u><i>In determining the number of signatures required for recall petitions, it may not be less than 15%.</i></u> • <i>This requirement is found in MEA Bylaw XVII (D).</i> • <i>[Prototype example: Constitution, Art. V, Sec. C]</i> 			

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9.	Membership and Fiscal Year			
	<p>The local association has the same membership and fiscal year as that of the MEA (September 1-August 31).</p> <ul style="list-style-type: none"> • <i>This standard is found in MEA Bylaw I, XII (B)(6), XIII (A), and NEA Bylaw 8-7.f.</i> • <i>[Prototype Example: Constitution, Art. VI]</i> 			
10.	Dissolution			
	<p>Dissolution of the association and distribution of assets language.</p> <ul style="list-style-type: none"> • <i>[Prototype Example: Constitution, Art. IX]</i> • <i>Any remaining assets after dissolution must be distributed to another entity that is a nonprofit corporation exempt from tax under Section 501(C) of the Internal Revenue Code of 1986. It is unlawful for assets to be distributed to members or leaders.</i> 			
11.	Meetings			
	<p>a. At least 18 hours notice of a meeting is required except in emergencies.</p> <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XII B.</i> • <i>[Prototype Example: Bylaws, Art. II, Sec. A.]</i> 			
	<p>b. Except for reasons set forth in MEA Administrative Policy XII, all meetings of the local shall be open to members in good standing.</p> <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XII A.</i> • <i>[Prototype Example: Bylaws, Art. II, Sec. C.]</i> 			
	<p>c. A member in good standing shall be permitted to address a meeting under rules established by the local.</p> <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XII A.</i> • <i>[Prototype Example: Bylaws, Art. II, Sec. C.]</i> 			

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12.	Duties of the Secretary			
	a. Minutes of each meeting must be kept. <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XII C.</i> • <i>[Prototype Example: Bylaws, Art. IV, Sec. C.]</i> 			
	b. Minutes are made available for membership inspection. <ul style="list-style-type: none"> • <i>This standard is found in MEA Administrative Policy XII C.</i> • <i>[Prototype Example: Bylaws, Art. IV, Sec. C.]</i> 			

13.	Nominations and Elections			
	a. Voting procedures are in place for election of officers and other elections. <ul style="list-style-type: none"> • <i>Some specific details of voting may be left to a committee, but there must be enough detail in the local C&B to insure that voting will be handled properly.</i> • <i>This requirement is found in MEA Bylaw XI(B).</i> • <i>[Prototype Example: Bylaws, Art. VII, Sec. A]</i> 			
	b. Open nominations for active members in good standing. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 7 of the MEA Constitution, MEA Bylaw V(A) and XII (B)(2) MEA Administrative Policy VIII(H)(2)(d), and NEA Bylaw 8-7-b.</i> • <i>[Prototype Example: Bylaws, Art. VII, Sec. A]</i> 			
	c. By secret ballot <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 7 of the MEA Constitution, MEA Bylaw V(A) and XII (B)(2), MEA Administrative Policy VIII(H)(2)(d), and NEA Bylaw 8-7-b.</i> • <i>[Prototype Example: Bylaws, Art. VII, Sec. A]</i> 			
	d. Ballots and all records pertaining to elections shall be preserved for 1 year and shall be kept in the custody of the president of the local association. <ul style="list-style-type: none"> • <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (B) and MEA Administrative Policy VIII.</i> • <i>[Prototype Example: Bylaws, Art. VII, Sec. A]</i> 			

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<p>e. An official report of the local election is required to be filed with the MEA no later than 30 days following the election.</p> <ul style="list-style-type: none"> <i>This standard is found in Art. V, Sec. 7 of the MEA Constitution</i> <i>[Prototype Example: Bylaws, Art. VII, Sec. B]</i> 			
<p>f. Provisions are made for the results of the MEA Representative Assembly delegate elections to be transmitted to MEA within 10 days after the election.</p> <ul style="list-style-type: none"> <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (B) and MEA Administrative Policy VIII.</i> <i>[Prototype Example: Bylaws, Art. VII, Sec. B]</i> 			
<p>g. Vacancies in the positions of MEA and NEA Representative Assembly Delegates may only be replaced by duly elected alternates.</p> <ul style="list-style-type: none"> <u>MEA RA delegates and alternates may never be appointed.</u> <i>This standard is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (H)(1), MEA Administrative Policy VIII, and NEA Constitution III-3.</i> <i>[Prototype Example: Bylaws, Art. VII, Sec. C]</i> 			
<p>h. Every active member in good standing shall have the opportunity to vote.</p> <ul style="list-style-type: none"> <i>This requirement is found in Art. V, Sec. 6 of the MEA Constitution, MEA Bylaw V (A), and MEA Administrative Policies III (A) and VIII.</i> <i>[Prototype example: Bylaws, Art. VII, Sec. D]</i> 			
<p>i. All elections are in accordance with the one person/one vote concept.</p> <ul style="list-style-type: none"> <i>This standard is are found in Art. XIV, Sec. 3-B of the MEA Constitution, MEA Bylaw XII (B)(1), and NEA Bylaw 8-7-a.</i> <i>[Prototype Example: Bylaws, Art. VII, Sec. D]</i> 			

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14.	Contract Ratification a. Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for a ratification vote. <ul style="list-style-type: none"> • <i>These provisions are found in MEA Bylaw XIX (A)(1).</i> • <i>[Prototype Example: Bylaws, Art. VIII, Sec. A]</i> b. A majority vote of those members voting shall be required for ratification. <ul style="list-style-type: none"> • <i>These provisions are found in MEA Bylaw XIX (A)(2).</i> • <i>[Prototype Example: Bylaws, Art. VIII, Sec. A]</i> c. Only members in good standing may vote on ratification. <ul style="list-style-type: none"> • <i>These provisions are found in MEA Bylaw XIX (A)(3).</i> • <i>[Prototype Example: Bylaws, Art. VIII, Sec. A]</i> 			
15.	Have the changes you are submitting been ratified by the membership? (Yes or No) Date last ratified: _____			