



Retired

Constitution and Bylaws

CONSTITUTION

Article I Name

The name of this membership body shall be known as Education Minnesota Retired, hereinafter referred to as “Retired”. Retired shall be located in St. Paul, Minnesota. Retired may have other offices as designated by the Governing Board or Executive Committee.

Article II Affiliation

Section 1: Retired shall be affiliated with Education Minnesota, NEA, AFT, and the Minnesota AFL-CIO Retiree Council.

Section 2: Each of the Federal Congressional Districts shall constitute a regional chapter of Retired. Members within each Congressional District may choose to affiliate with AFL-CIO Central Labor Councils or to form local chapters upon the approval of Education Minnesota’s Governing Board.

Article III Objectives

The objectives of Retired shall be dedicated to:

Section 1: promote retirement with dignity, economic and social status, and the social welfare of the retired members;

Section 2: promote membership in Retired to eligible retirees;

Section 3: formulate and support programs that will strive for improvements for members in such matters as pensions, annuities, social security, health benefits and fair taxation;

Section 4: provide retirement counseling services;

Section 5: promote and furnish mutual assistance, cooperation, and united action with others who are devoted to the cause of public education; and

Section 6: support the aims, goals, and objectives of Education Minnesota, NEA, AFT, and AFL-CIO.

Article IV Liability

There shall be no personal liability of the members for any obligations of Retired.

**Article V
Pecuniary Gain**

Retired shall not afford pecuniary gain, incidentally or otherwise, nor shall Retired lend any of its assets to an officer or director of Retired or other members.

**Article VI
Officers**

The officers of Education Minnesota Retired shall be a President, Vice-President, Secretary, and Treasurer.

**Article VII
Governing Board**

A Governing Board shall conduct the business of Retired between sessions of the Annual Meeting. Membership shall be composed of the Officers, the immediate Past President, the Congressional District Directors, the two At Large Directors, the ex-officio non voting chairs of the Standing Committees, and such other members as may be required by the Bylaws of Retired.

**Article VIII
Executive Committee**

An Executive Committee, composed of the President, Vice-President, Secretary, Treasurer, immediate Past President and one other board member elected by the Governing Board, shall assist the Governing Board in carrying out the responsibilities required by the Constitution and Bylaws of Retired.

**Article IX
Congressional District Representation**

Nothing in the Bylaws or action of the Governing Board shall prevent a member from selecting either the congressional district of his or her residence or that of the school district from which he or she retired, except that once the selection is made it shall become permanent.

Article X

Amendments

This Constitution may be amended at an Annual Meeting of the Representative Convention by a majority vote of the delegates present and voting. Proposed amendments to the Constitution must have been first published with the notice of the Representative Convention.

Article XI

Duration

The duration of Retired shall be perpetual.

BYLAWS

Article I Membership

Section 1: Membership Eligibility

- A. Active - To be an active member, a retired person must have paid the appropriate Retired dues and must:
1. Have been an active member or staff of Education Minnesota (formerly known as MEA or MFT);
 2. Have been an active member or staff of Education Minnesota or other state education union and affiliated with NEA or AFT; or
 3. Be one who is receiving a benefit from a public school employees' retirement system, retirement system of a college or university, or other public or private retirement benefit from a school in Minnesota.
- B. Preretired – Active members of Education Minnesota can join while still employed and lock in their benefits and lifetime dues.
1. Preretired members are not eligible to vote or hold office;
 2. An active member of Education Minnesota Retired who becomes employed in a position requiring bargaining unit membership will revert back to preretired status.
- C. Membership Denial – Membership shall not be denied because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.
1. Membership may be denied if the applicant does not meet the eligibility requirements provided in these Bylaws.
 2. Membership may be denied if the Governing Board determines that refusal is in the best interest of Retired based on the criteria of member discipline formally developed by the Governing Board.
 3. Applicants must be notified of proposed denial of membership ten (10) days prior to denial of membership and be advised of their right to a hearing on the matter.

4. Applicants denied membership may request a hearing to be conducted with rules and procedures established by the Governing Board. Such procedures must provide that the applicant be advised of any grounds on which the application might be rejected no less than fourteen (14) days prior to the hearing.

D. Rights and Responsibilities - Active members shall be entitled to all the rights, privileges and responsibilities conferred by the Constitution, Bylaws, and the Governing Board, including the right to:

1. Hold office;
2. Attend meetings of the Governing Board;
3. Receive the official publications of Retired;
4. Run for a credential to the Education Minnesota Representative Convention, NEA Retired Annual Meeting / NEA Representative Assembly, AFL-CIO Convention;
5. Participate in the Annual Meeting.
6. Call a regular membership meeting.

E. Dues – Active members shall pay dues as set forth by Retired in concurrence with the Education Minnesota and NEA-AFT Board of Directors.

1. Retired lifetime dues shall be \$500.00, payable in three installments or a lump sum.
 - a) \$200.00 designated for NEA;
\$50.00 designated for Retired program
 - b) \$125.00 designated for Retired programs; and
 - c) \$125.00 designated for escrow (deposited in an interest-bearing account where the interest shall be designated for Retired programs).
2. Preretired lifetime dues shall be \$ \$400.00, payable in three installments or a lump sum.
 - a) \$200.00 designated for NEA
 - b) \$100.00 designated for Retired programs; and
 - c) \$100.00 designated for escrow (deposited in an interest-bearing account where the interest shall be designated for Retired Programs)
3. Preretired members must continue paying active, substitute, and reserve or staff membership dues in addition to Retired preretired dues.
4. Collection of dues shall be in accordance with Retired policies.

5. The dues structure may be changed by the Retired Governing Board with approval at the Annual Meeting.

Section 2: Termination

Memberships should be continuous, but may be terminated by:

- A. Failure to meet active membership eligibility;
- B. Submission of written resignation to the President;
- C. Nonpayment of dues; or
- D. Violation of membership discipline policies.

Section 3: Discipline/Membership Rights

A member may request a due process hearing if denied or terminated from membership.
See Section 1, C.

Article II Local Chapters

There shall be local chapters as defined below:

Section 1: Five (5) or more active members may establish a local chapter.

Section 2: A copy of the local chapter's Constitution and Bylaws shall be on file at the Retired main office.

Section 3: An affiliation agreement shall be provided to the Retired Governing Board.

Section 4: New locals shall receive a charter conferring all the benefits and privileges of membership in the Retiree Chapter.

Section 5: Retiree Chapters shall have responsibility for implementing the policies of Retired.

Article III Officers

The officers of Education Minnesota Retired shall be a President, Vice-President, Secretary, and Treasurer.

Section 1: Authority and Duties

- A. **President:** The President shall preside at all meetings of the Retired Executive Committee, the Retired Governing Board and the Annual Meeting of Retired

Membership and shall see that all orders and resolutions are carried out; shall be an ex-officio member of all Retired standing committees and special committees; shall nominate all standing and special committees subject to the approval of the Governing Board; and shall, with the advice and consent of the Governing Board, nominate representatives to serve on Education Minnesota committees. The President shall serve as Education Minnesota Retired representative on the Education Minnesota Governing Board.

- B. Vice-President: The Vice-President shall perform the duties of the President when the President is absent; shall serve as President in the event a vacancy occurs in that position for the remainder of an unexpired term; and shall perform such other duties as may be prescribed by the Executive Committee.
- C. Secretary: The Secretary shall record and report all minutes of the Executive Committee, Governing Board, and Annual Meetings of Retired; shall maintain an accurate list of members in good standing; shall provide a timely notice to all members of Retired meetings, elections and other activities of Retired; and shall perform such other duties as may be prescribed by the Executive Committee.
- D. Treasurer: The Treasurer shall prepare a financial report for the Annual Meeting; shall prepare financial reports for the Executive Committee for any meetings of Retired as requested by the president, shall chair the Finance Committee of Retired; and shall perform such other duties as may be prescribed by the Executive Committee.

Checks drawn on Retired accounts shall be signed by the Treasurer and Controller of Education Minnesota.

Section 2: Qualifications

To be eligible for the election of President, Vice-President, Secretary, or Treasurer, an individual must be an active member of Retired. *As defined in Article I, Section A, 1 through 3.*

Section 3: Nominations and Election of Officers

The term of office shall be for a period of three (3) years commencing immediately following the conclusion of the Annual Meeting held during the Education Minnesota Representative Convention. Officers may serve for two (2) three-year consecutive staggered terms. *See B below.*

- A. Nominations: The Nominations/Elections Committee shall present at least one (1) nominee for each office to be filled.
- B. Elections: The officers and Representative Convention delegates shall be elected by a mail ballot vote of those voting from the entire active membership of Retired. All positions shall be elected by plurality secret ballot vote. Ballots must be kept for the length of the term.

The President and Vice President shall be elected to their first three (3) year term the fall of 2007 and every third year thereafter. The Secretary and Treasurer shall be elected to their first three (3) year term the fall of 2008 and every third year thereafter.

Newly elected officers shall assume their respective offices immediately following the conclusion of the Annual Meeting of the Education Minnesota Representative Convention.

At the close of their official term, outgoing officers shall deliver to their successors in the office, all books, papers and other property of Retired that may be in their possession.

Delegates and alternates will be elected by the membership to serve as Retired representatives to the annual Education Minnesota Representative Convention, NEA Retired Annual Meeting, NEA Representative Assembly, AFT Convention, and Minnesota State Retiree Council AFL-CIO Annual Convention.

- C. Vacancies: If the office of the President becomes vacant, the Vice-President shall serve as President for the remainder of the unexpired term.

If any other elected office becomes vacant, the Governing Board shall choose a successor who shall hold office for the remainder of the unexpired term.

Article IV Executive Committee

The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer, immediate Past President and one other board member elected by the Governing Board.

Section 1: Duties

Subject to the approval of the Governing Board, it shall be the duty of the Executive Committee to:

- A. Conduct all business affairs of the Retired Governing Board between meetings;
- B. Plan the agenda for all meetings of Retired;
- C. Approve all standing committees and special committees appointed by the President;
- D. Prepare and present a yearly budget to the Retired Board of Directors; and
- E. Cooperate with and assign representatives to serve on all committees designated by Education Minnesota to study and recommend changes and improvements in retired benefits.

Section 2: Meetings

- A. The Executive Committee shall meet at times and places to be determined by its body.
- B. Special meetings of the Executive Committee may be called by the President or at the request of two (2) members of the committee.
- C. A majority of the Executive Committee shall constitute a quorum. No business shall be transacted in the absence of a quorum. No proxies shall be allowed.
- D. The President of Education Minnesota, or his/her representative, shall be a non-voting ex-officio member of the Executive Committee.

Article V Governing Board

Section 1: Representative Districts

The Federal Congressional Districts shall be provided representation on the Governing Board.

Section 2: Boundaries

These Congressional Districts shall have contiguous boundaries of one (1) or more complete locals and shall mirror the borders of the Minnesota Federal Congressional Districts.

Section 3: Directors

Each Congressional District shall elect two (2) Congressional (regional) Directors who are active retired members. Two (2) At large Directors shall be elected by mail ballot vote of those voting from the entire active membership of the retired members. Directors may serve for two (2) consecutive three-year terms. Terms shall be staggered for the Directors pursuant to the Election Committee Guidelines adopted by the Governing Board. In the event that redistricting of a congressional district results in the transfer of a Director to a new district, such person(s) shall faithfully serve the previous district until the next regularly scheduled election. Options exercised under the provisions of Article IX of the Constitution shall also be subject to this provision.

Section 4: Representation

- A. The Retired Governing Board shall be composed of the Executive Officers, the Congressional District Directors, and the two At Large Directors with the chairs of the Standing Committees serving as non-voting ex-officio members.
- B. The immediate past president of Retired shall be an ex-officio member of the Governing Board, with such duties as may be prescribed by the President.

- C. Minority representation, as stipulated in the Education Minnesota Constitution and Bylaws, shall be provided by the Governing Board appointment, where possible, if one is not elected to the Governing Board.
- D. Staff Liaisons to retired shall be non-voting ex-officio members.
- E. The President of Education Minnesota, or his/her designee, shall be a non-voting ex-officio member of the Governing Board.
- F. The President of Education Minnesota, or his/her designee, shall be a non-voting ex-officio member of the Governing Board.

Section 5: Duties

It shall be the duties of Retired Governing Board to:

- A. Require an annual audit;
- B. Establish financial policies of Retired;
- C. Implement Retired programs and projects;
- D. Work with Education Minnesota to develop legislative priorities on retirement; and
- E. Conduct an election for the Officers and Directors to the Retired Governing Board and certify the results of the election.

Section 6: Meetings

- A. The Governing Board shall meet at times and places to be determined by its body.
- B. Special meetings of the Governing Board may be called by the President or at the request of five (5) members of the Governing Board.
- C. A majority of the Governing Board shall constitute a quorum. No business shall be transacted in the absence of a quorum. No proxies shall be allowed.
- D. There shall be a minimum of three (3) meetings per year of the Governing Board.

Article VI Committees

Section 1: Standing Committees

The administrative structure of Retired shall include the following standing committees:

- A. Membership
- B. Government Relations/Policy Development
- C. Resolutions
- D. Nominations/Elections
- E. Communications
- F. Program
- G. Finance
- H. Constitution and Bylaws

Section 2: Standing Committee Responsibilities

- A. The Membership Committee shall be responsible for the recruitment of Retired and Pre-retired members.
- B. Government Relations/Policy Development Committee shall be responsible for submitting legislative goals to Retired will work closely with the Education Minnesota Political Action Committee.
- C. The Resolutions Committee shall be responsible for the selection of resolutions to be submitted to the membership, for submitting resolutions adopted by the membership to the President of Education Minnesota, and for monitoring those public boards and committees whose actions may have an effect upon the members of Retired.
- D. The Nominations/Election Committee shall be responsible for the selection of nominees for each office and for the presentation of their names to Retired. It shall conduct the election of said officers, directors and delegates to State and National Conventions.
- E. The Communications Committee shall be responsible for establishing contact with the members of Retired, e.g., newsletters, web sites, e-mail, and such additional measures as the Governing Board may prescribe.
- F. The Program Committee shall be responsible for planning programs for the membership, such as conferences and seminars.
- G. The Finance Committee consists of the Executive committee and one Director elected by the Governing Board. It will be chaired by the Treasurer of Retired. The Finance Committee will develop the yearly budget for the Retired Governing Board.
- H. The Constitution and By-Law Committee will recommend changes to the Constitution and By-Laws.

Section 3: Special Committees

The Governing Board of Retired shall authorize special committees when deemed necessary to carry out the work of Retired. The President may initiate the formation of special committees with approval of the Governing Board.

Section 4: Ex-Officio Members

The president of Retired shall be a non-voting ex-officio member of all committees.

The chairs of the Standing Committees and the Special Committees shall be non-voting ex-officio members of the Governing Board of Retired.

Article VII General Membership Meetings

Section 1: Retired shall hold an Annual Meeting during the week of the Education Minnesota Representative Convention. The agenda for the Annual Meeting shall include installation of new officers and Directors, , annual reports from each of the Standing Committees, a review of the budget and program for the ensuing year, approval of Bylaw changes adopted by the Governing Board, adoption of any changes in the dues structure recommended by the Governing Board and consideration of proposed amendments, if any, to the Constitution. In addition to the Annual Meeting, membership meetings may be called by the Governing Board.

Section 2: A Special meeting of the general membership shall be called if requested by twenty (20) members in good standing.

Section 3: A quorum at a meeting of Retired, including the Annual Meeting, shall consist of at least twenty (20) members in good standing. No official business shall be transacted in the absence of a quorum.

Article VIII Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern Retired in all cases to which they are applicable and in which they are not inconsistent with the Constitution, Bylaws, or any Special Rules of Order Retired may adopt.

Article IX Amendments

These Bylaws may be amended at a Governing Board meeting by a majority vote of those present. Proposed Bylaw amendments must be mailed to Governing Board members at least twenty (20) days prior to the meeting. All changes will be considered interim until approved by the Annual Meeting.

Adopted 3/31/00/Annual Meeting
Revised 1/22/01/Board/3/16/01/Annual Meeting
Revised 7/23/02/Board/
Revised 3/13/03/Annual Meeting
Revised 7/21/03/Board
Revised 3/18/05/Annual Meeting
Revised 3/17/06/Annual Meeting
Revised 3/16/07/Annual Meeting
Revised 3/14/08/Annual Meeting
Revised 3/20/09 Annual Meeting
Revised 3/19/10 Annual Meeting