

**CONSTITUTION OF THE
CLARK COUNTY ASSOCIATION OF SCHOOL ADMINISTRATORS
AND PROFESSIONAL-TECHNICAL EMPLOYEES**

ARTICLE I – NAME

The name of the organization shall be the Clark County Association of School Administrators and Professional-Technical Employees (CCASAPE).
(Amended 10/03)

ARTICLE II – PURPOSES

The purposes of this Association are:

- Section 1. To continually improve the educational process for students by helping members become more effective in their various roles as educational leaders.
- Section 2. To provide a single, coordinated voice for members in working with the Clark County School District Board of School Trustees and the Superintendent of Schools to promote and preserve sound administrative practices in the Clark County School District.
- Section 3. To initiate and encourage cooperative efforts with professional organizations and other groups having educational interests in order to promote and provide leadership in matters of mutual concern.
- Section 4. To represent members on positions of educational and professional concern and to advance and protect the professional status and welfare of members.
- Section 5. To serve as the collective bargaining representative of its members for purposes of improving their terms and conditions of employment in accordance with the principles of the laws of the State of Nevada.
(Amended 04/06)

ARTICLE III – MEMBERSHIP

- Section 1. Administrators / Professional-Technical employees employed by the Clark County Board of School Trustees, with the exception of such employees that are excluded by the laws of the State of Nevada for collective bargaining, shall, upon payment of dues in the manner described by the CCASAPE Representative Council, be eligible for active membership in the Association. (Amended 11/89, 10/03)

Section 2. Administrators / Professional-Technical employees employed by the Clark County Board of School Trustees who are not eligible for active membership in CCASAPE because of their exclusion by the laws of the State Nevada for collective bargaining, shall, upon payment of dues in the manner described by the CCASAPE Representative Council, be eligible for associate membership in the Association. Associate members are not members of the CCASAPE bargaining unit, but are entitled to participate in any plan to provide benefits and to have the same "employment rights" and "terms and conditions of employment" as CCASAPE negotiates for its bargaining unit members. (Amended 11/89, 10/03)

Section 3. Each active member shall have one (1) vote in membership meetings and elections. Only active members shall be entitled to vote and hold elective office in the Association.
(Amended 11/89)

ARTICLE IV – DUES AND FISCAL YEAR

Section 1. The annual membership dues of this organization shall be determined by the Executive Board. Dues may be paid in one of the following ways:

- A. Monthly payroll deductions.
- B. An annual payment payable to CCASAPE. (Amended 05/94)

Section 2. Changes in the dues structure shall be determined by the Executive Board and ratified by the membership.

Section 3. CCASAPE shall operate on a fiscal year basis, July 1 through June 30 of the succeeding year.

Section 4. There shall be an annual report and an audit of the records each year. The annual report shall be submitted at the June general membership meeting. The audit shall be conducted prior to July 1.
(Amended 01/96)

ARTICLE V – OFFICERS

Section 1. The officers of the Association shall be President, President-Elect, Secretary, Treasurer, and Past President.

Section 2. The term of office for each officer shall be one (1) year, except the President-Elect, who shall succeed to the Presidency automatically in the year following his/her term as President-Elect.

The office of President shall be held by a school-based administrator and shall alternate each year between an administrator assigned to an elementary school and an administrator assigned to a secondary school. A school shall be considered secondary if it has students assigned above grade 6. (Amended 04/08)

- Section 3. The Secretary and Treasurer may succeed themselves for one (1) additional term.
- Section 4. Officers will be elected by mail ballot. A simple majority of ballots returned before a previously selected date will decide the election.
- Section 5. Officers shall be elected during the month of June and shall assume office July 1. (Amended 01/96)
- Section 6. Only active members of CCASAPE may vote and hold office.
- Section 7. In the initial year of the adoption of this Constitution, the existing slate of officers elected under the previous By-laws of CCASAPE shall continue to serve out and complete their terms of office.

ARTICLE VI – OFFICERS / DUTIES

- Section 1. The officers of the Association shall be President, President-Elect, Secretary, Treasurer, and Past President.
- Section 2. The President shall perform his/her duties as prescribed by the Constitution and shall preside over the meetings of the Executive Board, Representative Council, and general membership. Committee chairpersons and committee members shall be appointed by the President with the consent of the Representative Council. The President shall be an ex-officio member of all committees and shall be the delegate leader at all conventions or assemblies to which CCASAPE may send delegates. No member other than the President or the President's designee or person authorized by a vote of the Executive Board may speak for or represent the official position of the Association.
- Section 3. The President-Elect shall assist the President in carrying out the work of the Association and shall serve as Acting President in the absence of the President. The President-Elect shall serve as the chairperson of the Legal Committee. (Amended 05/94)
- Section 4. The Past President shall assist the President in carrying out the work of the Association. The Past President shall have the responsibility of reviewing and updating the Constitution, Policies, and By-Laws of CCASAPE on a yearly basis.

Section 5. The Secretary shall keep the minutes of all meetings of CCASAPE and shall distribute these minutes to members of the Representative Council. (Amended 05/94)

Section 6. The Treasurer shall be responsible for keeping the financial records of the Association and shall submit a monthly financial report to the Representative Council. The Treasurer is responsible for receiving and distributing funds.

ARTICLE VII – EXECUTIVE BOARD

Section 1. The Executive Board shall be composed of the officers of the Association.

Section 2. Duties of the Board:

A. The Executive Board shall be responsible for the administration of the affairs of the Association except as otherwise directed by this Constitution.

B. The Executive Board shall have the authority to cooperate with other organizations or associations in promoting the interests and purposes of the Association.

Section 3. The Executive Board may establish such committees as may be necessary to accomplish the purposes of the Association.

Section 4. The Executive Board shall interpret, for the Association, the meaning or intent of any provision of this Constitution. Any question arising from such interpretation shall be referred to the Representative Council for action.

Section 5. The Executive Board shall be empowered to make decisions for the Association in emergency situations.

Section 6. The Executive Board shall be responsible for preparing a budget to be approved by the Representative Council in June and distributed to the general membership following its approval. (Amended 01/96)

ARTICLE VIII – REPRESENTATIVE COUNCIL

Section 1. The Representative Council shall be composed of:

A. Members of the Executive Board.

- B. Eight (8) active members of the Clark County Association of School Administrators and Professional-Technical Employees who do not hold any other Executive Board office. (Amended 10/03)
- C. The President of the Clark County Association of Elementary School Principals, the President of the Clark County Association of Secondary School Principals, and a professional-technical employee, appointed by the CCASAPE President (if one is not elected) shall serve on the CCASAPE Representative Council. (Amended 10/03)
- D. The length of office for the eight (8) at large members shall be two (2) years with four (4) members elected each year following the adoption of this amendment. (Amended 11/89)

Section 2. The Representative Council shall be elected from the active membership, by popular vote.

Section 3. The duties of the Representative Council shall be:

- A. The Representative Council shall, in association with the Executive Board, adopt and carry out the policies and programs established for CCASAPE. (Amended 10/03)
- B. The Representative Council shall serve as a liaison and represent the will of the membership in all matters affecting CCASAPE. (Amended 10/03)
- C. The Representative Council shall have at least one (1) member assigned to each standing committee for the Association, with the exception of the Nominations and Elections Committee.
- D. The Representative Council shall review emergency actions taken by the Executive Board.
- E. The Representative Council shall approve the budget prior to its distribution to the general membership. (Adopted 01/96)

Section 4. Vacancies occurring in the Representative Council shall be filled by a majority vote of the Executive Board, and the appointed member shall serve for a period not to exceed the remainder of the term of the elected representative.

ARTICLE IX – MEETINGS

Section 1. General membership meetings shall be held as necessary and not less than once per year during the month of June. The Executive

Board shall determine the time and place of all general membership meetings. (Amended 05/94, 01/96)

- Section 2. The Executive Board shall meet no less than once each month except in the month of July, or more often if the President deems necessary. (Amended 05/94)
- Section 3. The Representative Council shall meet no less than once each month, except in the month of July, or more often if the President deems necessary. (Amended 05/94)
- Section 4. All members will be notified of general membership meetings by mail at least three (3) school days prior to the meeting.
- Section 5. The President shall be responsible for developing the agenda for all meetings.
- Section 6. Special meetings may be called upon petition of 10% of the active membership.
- Section 7. All meetings shall be open to any active member who may wish to attend.

ARTICLE X – COMMITTEES

- Section 1. It is the policy of the Association to establish committees which will make recommendations to the Representative Council on matters of concern to the Association and carry out any functions assigned to them.
- Section 2. The incoming Executive Board shall review annually the purpose and function of the Association's committees and shall make recommendations to the Representative Council.
- Section 3. The committee's function as approved by the Representative Council shall be published and made available to the members of the Association at the beginning of each school year.
- Section 4. The President of the Association shall appoint the chairperson and members of committees with the consent of the Representative Council.
- Section 5. Standing committees of the Association shall be: Constitution, Legislative, Legal, Negotiations, and Nominations and Elections.
(Amended 05/94)

Section 6. Special committees or appointments to committees shall be made as the need may arise.

ARTICLE XI – VACANCIES

Section 1. In the event of a vacancy in the office of President occurring during his/her tenure, the office of President shall be filled by the President-Elect:

A. If the time remaining is less than one-half (1/2) the term.

B. In the event the President vacates his/her office with more than half (1/2) of his/her term remaining, the President-Elect will serve as President until the Representative Council appoints an interim President to complete that term in office. (Amended 05/94)

Section 2. In the event of a vacancy in the office of President-Elect a special election will be conducted by the Nominations and Elections Committee. (Amended 05/94)

Section 3. In the event of vacancies in the offices of President and President-Elect, the immediate Past President shall assume the duties of the President until the Representative Council appoints an interim President to complete that term in office. The office of President-Elect will be filled as identified in Section 2. (Amended 05/94)

Section 4. Vacancies in the offices of Secretary and Treasurer shall be filled by a special election to be conducted by the Nominations and Elections Committee.

ARTICLE XII – NOMINATIONS AND ELECTIONS

Section 1. It shall be the duty of the Nominations and Elections Committee to propose a slate of candidates to be nominated at the June general membership meeting. Whenever possible, there will be a minimum of two (2) candidates for each office to be filled. (Amended 05/94, 01/96)

Section 2. The Nominations and Elections Committee shall consist of three (3) members. No member of the Executive Board or Representative Council may serve on the Nominations and Elections Committee.

Section 3. The Nominations and Elections Committee shall conduct the election of officers.

Section 4. Additional nominations, with the consent of the person being nominated, may be made at the June general membership meeting. (Amended 01/96)

Section 5. A candidate receiving a majority of votes cast by mail ballot shall be elected to the office. If no candidate receives a majority of all votes cast, there shall be a runoff between the two (2) candidates receiving the highest number of votes.

The four (4) at large positions elected to the Representative Council each year shall be the four (4) at large candidates receiving the greatest number of votes.

ARTICLE XIII – QUORUM AND PARLIAMENTARY AUTHORITY

Section 1. A majority of its members shall constitute a quorum for meetings of the Executive Board and Representative Council.

Section 2. Members present at general membership meetings shall constitute a quorum.

Section 3. The rules contained in Robert's Rules of Order, Revised, shall govern the Association in all cases to which they are applicable and in which they are consistent with the Constitution or special rules of order of the Association.

ARTICLE XIV – AMENDMENTS

Section 1. Amendments to this Constitution may be proposed in writing by the Representative Council or any member of CCASAPE.

Section 2. The Representative Council shall have the responsibility of submitting said proposed amendments to the membership at least ten (10) days prior to the date of balloting.

Section 3. Adoption of proposed amendments shall be by written ballot of two-thirds (2/3) of those members voting.

Section 4. An amendment shall become effective immediately upon adoption.

ARTICLE XV – ENABLING PROVISION

Section 1. This Constitution shall become effective upon the affirmative majority vote of the active membership as defined by this Constitution. (Adopted 12/15/78)

POLICIES AND PROCEDURES OF THE CLARK COUNTY ASSOCIATION OF SCHOOL ADMINISTRATORS AND PROFESSIONAL-TECHNICAL EMPLOYEES

POLICY 1 – FINANCIAL ALLOCATION - PRESIDENT

- A. The President of the Clark County Association of School Administrators and Professional-Technical Employees shall receive an allocation to attend a professional convention or conference.
 - 1. Money is to be used during his/her one (1) year tenure as President or the year following his/her one (1) year tenure as President.
 - 2. Money is non-transferable to other members of the Association.
 - 3. In the event there is more than one President during the school year, each President shall receive the allocation.
 - 4. The Representative Council will determine the allocation.
- B. The President shall be provided \$200 per month for miscellaneous expenses associated with carrying out the duties of the position.
(Adopted 06/18/85; Amended 06/16/93, 03/06/97)

POLICY 2 – EXECUTIVE DIRECTOR EVALUATION

- A. The CCASAPE executive director will receive a written formal evaluation on a yearly basis.
- B. The yearly evaluation will be conducted by a three (3) member evaluation team during the month of June.
- C. The CCASAPE evaluation team will consist of the current CCASAPE President, President-Elect, and immediate Past President.
(Adopted 08/01/88)

POLICY 3 – LEGAL ASSISTANCE FOR MEMBERS

CCASAPE is committed to the principle that due process and humane treatment be afforded all administrators / professional-technical employees. CCASAPE is also committed to the principle of fair representation under the guidelines established by the United States Supreme Court and other applicable court decisions under the comparable National Labor Relations Act. Unless otherwise expressly agreed in writing, an attorney providing services under this Legal Assistance Policy acts as CCASAPE's agent in the collective bargaining process, a process which includes the adjustment of grievances through assistance, advice and representation at hearings or arbitration. Any attorney employed by CCASAPE shall consider CCASAPE as his or her client and any grievant or appellant shall be so advised. (Amended 02/07/03)

- A. Criteria for assistance:
1. The situation concerns a question of due process for the administrator / professional-technical employee.
 2. The situation concerns a violation of contract, regulation/policy (subject of mandatory bargaining), or state law.
 3. There is an indication that a universal contract violation is or may be occurring.
 4. The situation is job related.
 5. The situation is meritorious. (Amended 02/07/03)
- B. Procedure for assistance:
1. The administrator / professional-technical employee contacts the CCASAPE Executive Director or, in his or her absence, the Executive Director's designee.
 2. The administrator / professional-technical employee makes a written request for assistance to the CCASAPE Executive Director or, in his or her absence, the Executive Director's designee.
 3. The CCASAPE Executive Director or, in his or her absence, the Executive Director's designee will review the request and secure the needed information from the administrator / professional-technical employee.
 4. The CCASAPE Executive Director or, in his or her absence, the Executive Director's designee will discuss the request with the Legal Committee chairperson.
 5. The Legal Committee chairperson will schedule a meeting of the Legal Committee to review any requests that may not meet the criteria for assistance as identified in Part A. The Committee will make recommendations to the individual and/or the Executive Director. The administrator / professional-technical employee requesting legal assistance must attend the meeting of the Legal Committee.
 6. The administrator / professional-technical employee may appeal the recommendation of the Legal Committee to the CCASAPE Representative Council. The appeal must be placed in writing and submitted to the CCASAPE President and/or the CCASAPE Executive Director within five (5) working days of the Legal Committee's decision. The administrator / professional-technical employee requesting legal assistance must attend the appeal meeting with the CCASAPE Representative Council.
 7. For requests that meet the criteria for assistance, the CCASAPE Executive Director will notify the CCASAPE President and seek a resolution.
 8. Any resolution sought by the Executive Director that requires filing for arbitration requires the approval of the CCASAPE Representative Council. In cases of urgency the CCASAPE Executive Board may provide the approval and the Representative Council will be notified thereafter.

9. The member must provide CCASAPE with information identifying other professional organizations which may also provide legal assistance.

NOTE: Members are reminded that legal assistance is also available through other professional associations such as NASSP, NAESP, or AASA. Legal assistance available from these associations must be requested by the member. Any funds received by the member from these associations must be provided to CCASAPE as reimbursement for CCASAPE's legal expense to represent the member. (Amended 02/07/03)

C. Kind of Assistance:

1. When the situation is a due process issue involving a contract violation or violation of a regulation/policy (subject of mandatory bargaining), assistance may include: (Amended 02/07/03)
 - a. Advice on various courses of action.
 - b. Support during meetings.
 - c. Assistance in writing responses.
 - d. Attorney services.
 - e. File a grievance and represent the member.
 - f. File for arbitration and represent the member if the Representative Council authorizes the filing.
2. When the situation is a due process issue, but not a violation of the contract or regulation/policy, appropriate assistance will be provided to assure due process.
3. When the situation is job related, but it is not a violation of the contract, regulation/policy, or law; assistance will vary with each situation.

NOTE: The member may apply to CCASAPE for financial assistance. This written request will be reviewed by the Legal Committee and be presented to the Representative Council for a decision. The CCASAPE attorney may be involved in determining the efficacy of the situation.

D. Legal reimbursement if CCASAPE has provided funds to a member:

1. In the event the member obtains a successful resolution before any tribunal (or by settlement) as a result of assistance under this plan and is awarded money, damages and/or attorney's fees and costs, he/she is expected to reimburse CCASAPE for its financial assistance in accordance with the settlement. The total amount provided by CCASAPE for the member's legal cost will be reimbursed to CCASAPE upon settlement.

E. The Legal Committee will consist of the President-Elect, at least one (1) member of the Representative Council, and at least three (3) other members at large appointed by the President. The President-Elect shall

serve as the chairperson of the Legal Committee. (Adopted 02/11/92; Amended 12/08/94, 11/07/96, 2/5/98, 11/5/98, 8/11/11)

- F. Nothing herein is intended to preclude a member from employing the service of his or her personal choice of counsel at the member's own expense. A member's selection of his or her own counsel shall act as a waiver of any rights and privileges outlined in this policy for that particular matter. (Adopted 02/07/03)

POLICY 3A – FEES FOR CCASAPE REPRESENTATION AND LEGAL ASSISTANCE SERVICES FOR NON MEMBERS

(Amended 11/18/10)

CCASAPE is the recognized and exclusive representative of administrative and professional-technical employees in the bargaining unit. As such, CCASAPE is committed to the performance of its duties and responsibilities under NRS Chapter 288 and the guidelines and directions lawfully imposed by the Local Government Employee-Management Relations Board. CCASAPE recognizes that administrators and professional-technical employees eligible for membership in CCASAPE have the right to join the recognized employee organization, CCASAPE, or to refrain from joining.

CCASAPE further recognizes the right of a CCASAPE-eligible employee to act on his or her own behalf under NRS 288.140 and to employ the services of his or her personal choice of counsel or legal counsel at the eligible non-member employee's own and sole expense, liability and costs.

A non-member who requests to be represented by CCASAPE shall be responsible for and shall pay the fees in the accompanying schedule in advance. The provision of CCASAPE representation and legal assistance will be provided with the understanding that the overriding interest of CCASAPE and its legal counsel must be to preserve the integrity of the collective bargaining agreement, with its grievance provisions, and the rights of *all* employees under that agreement and Nevada Revised Statutes Chapter 391. When legal assistance is requested by a non-member, the procedures outlined in **Policy 3 – Legal Assistance for Members** shall also apply.

A. Fee Schedule for CCASAPE and Legal Services to Non-Members

1. Initial Consultation:

Non-members seeking CCASAPE representation with regard to a grievance or other employment situation will be assessed an initial consultation fee of \$400, payable in advance (2 hours at \$200 per hour which includes the assistance of all CCASAPE staff).

2. Additional CCASAPE Services:

If additional CCASAPE staff services are required to provide the necessary representation / consultation to the non-member, a fee of \$1,000 payable in advance will be assessed to the non-member. The

additional services fee will be billed in 5 hour increments at \$200 per hour with unapportioned fees returned to the non-member.

3. CCASAPE Attorney Fees:

If CCASAPE representation for the non-member requires direct or indirect services of the CCASAPE attorney, the non-member will be responsible for 100% of the attorney's billed fee to CCASAPE, which will normally not exceed \$200 per hour. Advance deposit with CCASAPE will be required in 5 hour increments, to be replenished when exhausted.

4. Non-Member Joins CCASAPE:

If a non-member joins CCASAPE, the fee schedule outlined in 1-3 above will apply if an incident results in a request for legal assistance and the incident occurred prior to the membership date.

- B. Non-members seeking assistance or representation from CCASAPE must acknowledge receipt of Policy 3 and Policy 3A before representation or assistance is provided. (Adopted 11/18/10)

POLICY 4 – SCHOLARSHIPS

The Clark County Association of School Administrators and Professional-Technical Employees will provide two (2) \$2,000 scholarships each year. The scholarship applicant must be a legal dependent of an active CCASAPE member and currently enrolled as a senior in a Clark County School District secondary school. A CCASAPE Scholarship Committee appointed by the CCASAPE President shall determine the scholarship recipients each spring. (Adopted 02/08/94, Amended 01/05/95, Amended 01/11/07, Amended 01/10/08)

POLICY 5 – DONATIONS AND CONTRIBUTIONS

The purposes of CCASAPE are identified in Article II of the Constitution. Requested donations or contributions that will not provide direct assistance in meeting these purposes will not be honored unless approved as a policy of CCASAPE by the Representative Council. (Adopted 02/08/94)

When there is a death of a CCASAPE member or a member's immediate family, the policy is as follows:

1. Flowers will automatically be sent when a CCASAPE member dies. Active, associate, or affiliate members will be included.
2. Flowers will automatically be sent when a spouse or child of an active or associate member dies.
3. With the approval of the president, flowers may be sent when various non-members die with whom CCASAPE members are closely associated.
4. A contribution in lieu of flowers will be made if requested by the family. (Adopted 09/05/96)

POLICY 6 – SICK LEAVE POOL REQUEST

Beginning with the contract negotiated between the Clark County School District (CCSD) and the Clark County Association of School Administrators (CCASA) for the 1997-1999 school years, CCASA established a pool of days available to administrators / professional-technical employees who have a serious illness or have had a serious accident and who have no other available leave days. This pool of days was established by administrators / professional-technical employees who voluntarily designated a half day or a full day of vacation for which they were otherwise compensated under Article 18-4. In addition to the donation of these vacation days, this pool of days may also be increased by administrators / professional-technical employees who voluntarily donate a day of sick leave when they have accumulated 60 or more sick leave days and have utilized three (3) or fewer sick leave days during the contract year as outlined in Article 13-8. And Article 13-8 also provides that one vacation day per administrator / professional-technical employee that would otherwise be deducted from an administrator / professional-technical employee's vacation leave balance on September 1 for non use will be donated to the CCASAPE Sick Leave Pool. The total number of days contributed to the pool as a result of the deducted vacation days shall not exceed 50 days in any school year. (Amended 03-09-07, Amended 02-12-10)

An administrator / professional-technical employee may request days from the pool when the administrator / professional-technical employee has no other available leave days. A written request shall be made to the CCASAPE Representative Council. The Representative Council shall have the exclusive authority to grant, amend or deny requests made by eligible administrators / professional-technical employees.

- The lifetime maximum number of sick leave pool days available to an individual for whom a substitute is provided shall be 60.
- The lifetime maximum number of sick leave pool days available to an individual for whom a substitute is not provided shall be 120.
- An administrator / professional-technical employee shall be eligible to apply for no more than five (5) sick leave pool days for each year of employment as an administrator / professional-technical employee in the Clark County School District.
- The Representative Council may not grant sick leave pool days that exceed the number of days available in the pool of days established in Article 13 of the Negotiated Agreement between the CCSD and CCASAPE. (Adopted 01-10-02, Amended 05-08-03, Amended 02-06-04, Amended 02-12-2010)

POLICY 7 – GROUP HEALTH INSURANCE

The School Administrators' and Professional-technical Employees' Welfare Trust provides health plans for all active, full-time administrative / professional-technical employees of the Clark County School District and a school district contribution is made which covers all or part of the premium. There is no contribution once an administrator / professional-technical employee retires. However, the School Administrators' and Professional-technical Employees' Welfare Trust provides the health plans to administrators / professional-technical employees at retirement at the individual retiree's expense. Eligible dependents may also continue to participate. (Adopted 12-08-05, Amended 01-11-07)