

# OWOSSO EDUCATIONAL SUPPORT PERSONNEL ASSOCIATION (OESPA)

## LOCAL CONSTITUTION

(Adopted by the OESPA August 23, 1993; amended on July 14, 2021)

### PREAMBLE

We, the Educational Support Personnel (ESP) of the Owosso Public Schools. Believing that we must institute our own self-government and secure proper recognition and responsibility for the well-being of our members, adopt this Constitution.

### I. NAME

The name of this organization shall be the Owosso Educational Support Personnel Association, MEA-NEA, an affiliated unit of the Michigan and National Education Associations. The association shall be a nonprofit corporation, organized in accordance with the laws of Michigan.

### II. PURPOSE

The objectives of this association shall be the improvement of education, and the advancement of the interest of education, of educational support personnel, and the promotion of the professional growth of its members.

### III. MEMBERSHIP

- A. All persons who meet the active membership requirements of the Michigan Education Association, may, upon payment of dues as herein provided, become active members of this Association with full rights and privileges of membership.
- B. Active members of this organization shall also be members of the Michigan Education Association and the National Education Association.
- C. No member shall be censured, suspended, or expelled without a hearing. The hearing shall be conducted by the local board of directors. An appeal may be made to the regional board of reference or MEA Board of Reference, if no regional board exists.
- D. Active members who meet the requirements established by the MEA in the Dues Transmittal Policy for the payment of dues shall be considered active members in good standing and shall be entitled to the rights, privileges and benefits of membership.

### IV. OFFICERS AND BOARDS

- A. Officers: The officers of the organization shall consist of a president, a vice-president, a secretary, and a treasurer. Elections shall be held prior to April 1. Terms of officers shall be for three (3) years. Officers' terms in office shall commence on June 1.

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- B. MEA Representative Delegate: The MEA Representative Assembly delegate(s) and alternate(s) shall be elected for three (3) years, commencing on June 1. The president shall be the first MEA Representative Assembly delegate. When there are four (4) or more MEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1G shall be elected, as required by the MEA Constitution and Bylaws. Each MEA Representative Assembly delegate shall serve as a Region Council delegate.
- C. NEA Representative Assembly delegates: The NEA Representative Assembly delegate(s) and alternate(s) shall be elected for three (3) years, commencing on June 1. The president shall be the first NEA Representative Assembly delegate. When there are three (3) or more NEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1G shall be elected, as required by the MEA Constitution and Bylaws.
- D. Any additional Region Council delegates: The term of office for any additional Region Council delegates shall be three (3) years, commencing on June 1.
- E. Governing Body:
  - a. There shall be a governing body, known as the Board of Directors, which shall consist of officers, local association representatives/stewards and delegate(s) to the MEA/NEA Representative Assembly.
  - b. Representation of Minority Persons 3-1G: The ethnic representation shall be in compliance with the constitutions and bylaws of the National Educational Association and the Michigan Education Association. In the event that the ethnic representation is less than required by the constitutions and bylaws of the MEA and NEA, rules and procedures shall be established for an at-large election to ensure proportionate ethnic minority representation.
- F. No person shall be a candidate for office or position, or hold office or position, whether elected or appointed, in the association unless he or she is an active member in good standing. Any office or position holder, whether elected or appointed, of the association that does not maintain active membership in good standing shall be removed from office after notice and opportunity to return to good standing within 30 days.

### V. DIRECT LEGISLATION

- A. Initiative and referendum: The rights of popular initiative and referendum shall rest with the active membership of the association. Upon receipt of a petition signed by fifteen percent (15%) of the active membership of the association, the secretary shall announce a general meeting or ballot as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A twenty percent (20%) quorum must either be present or vote and a majority of that quorum is required for its adoption, which shall take effect thirty (30) days later.
- B. Recall: The right of recall shall rest with the electing body. Upon receipt of a petition signed by fifteen percent (15%) of the membership of the electing body, the secretary shall announce a general meeting or ballot by the electing body, as indicated on the petition. Within fifteen (15) calendar days for the purposes presented in the petition. A twenty percent (20%) quorum must either be present or vote and a majority of that quorum is required for adoption, which shall take effect thirty (30) days later. Delegates to the MEA Representative Assembly may only be recalled for just cause.

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## VI. MEMBERSHIP AND FISCAL YEAR

The membership and fiscal years shall be September 1 through August 31.

## VII. AUTHORITY

Any part of this Constitution and/or Bylaws, which is in conflict with the MEA and/or NEA Constitution, and/or Bylaws will be declared null and void.

## VIII. AMENDMENTS

Amendments to this Constitution may be introduced by the membership by petition signed by fifteen percent (15%) of the total active membership and submitted to the secretary. Amendments to the Constitution may also be introduced by the Board of Directors. These proposed amendments shall be acted upon at a subsequent meeting of the membership or by ballot within at least sixty (60) days of submission. A copy of the proposed amendment, together with the recommendations of the Board of Directors, shall be sent to each member of the association at least fifteen (15) days prior to voting. A two-thirds (2/3) affirmative vote of the active membership voting is required to adopt the proposed amendment, which shall become effective immediately upon adoption unless otherwise provided.

## IX. Dissolution

upon dissolution of the association, any assets remaining after the repayment of all expenses shall be distributed to its successor so long as the successor is affiliated with the Michigan Education Association or to the Michigan Education Association, a Michigan nonprofit corporation exempt from tax under section 501(C) (5) of the Internal Revenue Code of 1986.

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## BYLAWS

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### I. RULES

Robert's Rules of Order, latest edition, shall be the authority on all questions of procedure not specifically stated in the Constitution and Bylaws

### II. MEETINGS

- A. At least two (2) general membership meetings per school year shall be called by the president or Board of Directors, as needed. At least twenty-four (24) hours' notice is required, specifying date, time, place and purpose of such meetings.
- B. The Board of Directors shall meet at least once a month during the school year. After establishment of a calendar, the membership shall be notified of dates, times and place of meetings.
- C. Except as specified in MEA Administrative Policies, meetings shall be open to all members in good standings and members in good standings shall be permitted to address meetings.

### III. QUORUM

- A. The quorum for the general membership shall be twenty percent (20%) of the total active membership.
- B. A quorum for the Board of Directors meeting shall be at least 2/3 (two-thirds) of the elected members.

### IV. DUTIES OF OFFICERS

- A. President: Preside over meetings, appoint members of committees subject to approval of the Board of Directors, ex officio members of all committees, represent the Association before the public, be executive officer of the Association, submit annual budget for consideration, be the delegate to the MEA Coordinating Council, and perform all other functions attributed to this office.
- B. Vice-President: Preside in president's absence, be the delegate to the MEA Coordinating Council and is a member of Shiawassee County Education Association, Political Action Committee, and perform duties as assigned by the president.
- C. Secretary: Keep accurate minutes of all meetings of Association and Board of Directors, make minutes available for membership inspection, maintain official files and assist president with Association correspondence.
- D. Treasurer: Deposit funds of Association and disburse them according to decisions of Board of Directors, maintain roll of members, keep accurate accounts of receipts and expenditures, report to each meeting of Association and Board of Directors, prepare annual financial statements for

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membership, assist in drafting annual budget. The Association shall provide for an annual audit of the books.

- E. Representative Assembly delegates: Keep Association informed of actions by the MEA and issues to be presented to the Representative Assembly. Attend the MEA Representative Assembly and other appropriate meetings and report back to the Association.
- F. MEA and NEA Representative Assembly delegates: Keep Association informed of actions by the MEA/NEA issues to be presented to the Representative Assembly, attend the MEA/NEA Representative Assembly and other appropriate meetings and report back to the Association.
- G. Region Council delegates: Keep Association informed of actions by the Region Council and issues to be presented to the Region Council, attend the Region Council and other appropriate meetings and report back to the Association.

### V. POWERS OF GOVERNING BODY

Upon the Board of Directors shall rest the duties, responsibilities and authority for conduct of the Association in all matters except as provided in the Constitution and Bylaws; the Board may, at any time, refer matters to the general membership for consideration.

### VI. ASSOCIATION REPRESENTATIVE/STEWARDS

- A. Association Representative (AR)/Stewards are elected on the basis of one (1) AR/Steward for each classification.
  - a. Custodial
  - b. Food Service
  - c. Maintenance
  - d. Office
  - e. Paraprofessional
  - f. Transportation
- B. Duties shall be to attend regular meetings of the Board of Directors, call meetings of classification membership to discuss Association business, conduct enrollment of members and provide communication between members and Board of Directors.
- C. Term of office shall be for three (3) years and commence on September 1.
- D. Vacancy in the position(s) of Association Representative/Steward shall be appointed by the Board of Directors for the duration of the term.

### VII. NOMINATIONS AND ELECTIONS

- A. The president shall appoint an elections committee which shall establish election procedures which guarantee that all elections shall provide for open nominations by active members in good standing, secret ballot, and voting procedures, including online voting. Ballots and all records pertaining to elections shall be preserved for one (1) year, and shall be kept in the custody of the President of the Association.
- B. The Board of Directors shall certify the elections committee report and publish results of the elections. Official reports of elections must be filed with MEA for Representative Assembly

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delegates within ten (10) days after the election, and local officers within thirty (30) days after the election.

- C. All vacancies in one of the positions shall be filled by the Board of Directors until the next general election, except vacancies in the MEA or NEA Representative Assembly delegates. A MEA or NEA Representative Assembly delegate shall be replaced by the duly elected alternate(s). If there are no alternates, a special election will be held to fill the vacancies.
- D. Every active member in good standing shall have the opportunity to vote. All election shall take place following the one member/one vote principle.

### VIII. CONTRACT RATIFICATION

- A. Only a proposed contract tentatively agreed to by an official impaneled bargaining team may be submitted to a membership by ratification.
- B. A majority vote of those members present and voting shall be required for ratification.
- C. Only members in good standing may vote on ratification.
- D. There shall be at least a forty-eight (48) hour advance notice of the ratification meeting.
- E. Members shall have a written copy of any proposed contract and/or changes at least twenty-four (24) hours prior to the ratification meeting.
- F. There shall be a recommendation from the bargaining team.
- G. There shall be an opportunity for questions and answers.
- H. Any changes made during the life of the contract shall follow the above procedures by Letter of Agreement for the duration of current contract signed by the President or designee on recommended approval of the Board of Directors.

### IX. DUES

- A. Dues of the Association shall consist of the total amount of local, state, and national dues.
- B. Local dues shall be established by a vote of the membership.
- C. Special assessments can only be voted by the membership.

### X. AMENDMENTS

Amendments to these Bylaws may be introduced by the membership by petition signed by fifteen percent (15%) of the total active membership and submitted to the secretary. Amendments to these Bylaws may also be introduced by the Board of Directors. These proposed amendments shall be acted up at a subsequent meeting of the membership or by ballot within at least sixty (60) days of submission. A copy of the proposed amendment together with the recommendations of the Board of Directors, shall be sent to each member of the Association at least fifteen (15) days prior to voting. A majority vote of the active membership voting is required to adopt the proposed amendment, which shall become effective immediately upon adoption unless otherwise provided.

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