

*Note: Boxes contain suggestions for consideration, not actual language for inclusion.*

## Ovid-Elsie Paraprofessional Association Constitution

Comment [SM1]:

### Preamble

We, the educational support personnel of the Ovid Elsie Community 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 Ovid-Elsie Paraprofessional Association MEA-NEA, an affiliated unit of the Michigan Education Association and the National Education Association. 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, the advancement of the interests of education, of educators and 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 due process hearing. The hearing shall be conducted by the local trial body or by the local governing body if no trial body exists. An appeal may be made to the regional board of reference or MEA Board of Reference if no regional board exists.

### IV. Officers and Governing Bodies

- A. *Officers.* The officers of the organization shall consist of a president, a vice president, a secretary, and a treasurer. Terms of officers shall be for (not to exceed 3 years) and shall commence on September 1.
- B. The term of office for MEA Representative Assembly delegates and alternates shall be two (2) years commencing on September 1. Elections shall be held prior to June 1.

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- C. Region council delegates shall be elected for the period two (2) years and shall take office on September 1.
- D. Election of NEA delegates shall be held prior to April 1. When there are three (3) or more representative assembly delegates elected, representatives of third world persons shall be elected as required by the MEA Constitution and Bylaws.
- E. *Governing body.*
  - 1. There shall be a governing body, which shall consist of officers, association building representatives, and delegate(s) to the MEA Representative Assembly.
  - 2. *Third World representation.* The ethnic representation shall be in compliance with the constitutions and bylaws of the National Education 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.

#### **V. Direct legislation**

- A. *Initiative.* The rights of popular initiative 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 majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later.
- B. *Referendum.* The rights of 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 majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later.
- C. *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 majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later.
- D. Petitions shall be filed with the secretary. However if the secretary is the subject of the petition, the petition shall be filed with the most senior member of the governing body not subject to the petition.

#### **VI. Membership and fiscal year**

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

#### **VII. Authority**

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Any part of this Constitution and/or Bylaws that is in conflict with the MEA and/or NEA constitutions 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 governing body. 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 governing body, 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.

DATE RATIFIED: Sept 14, 2010

DATE AMENDED: \_\_\_\_\_

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## **Ovid-Elsie Paraprofessional Association Bylaws**

### **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. General membership meetings shall be called by the president or governing body as needed. At least eighteen (18) hours notice is required, specifying date, time, place and purpose of such meetings.
- B. The governing body shall meet monthly during the school year or in accordance with the calendar adopted by the governing body. After establishment of a calendar, the membership shall be notified of dates, times and place of meetings.
- C. Meetings shall be open to all members and members shall be permitted to address meetings.

### **III. Quorum**

- A. The quorum for the general membership shall be ten percent (10%) of the total active membership.
- B. A quorum for the governing body membership meeting shall be at least two-thirds (2/3) of the elected members.

### **IV. Duties of officers and delegates**

- A. *President:* Preside over meetings, appoint members of committees subject to approval of the board of directors, serve as ex officio member of all committees, represent the association before the public, be executive officer of the association, submit annual budget for consideration and perform all other functions attributed to this office.
- B. *Vice president:* Preside in president's absence and perform duties as assigned by the president.
- C. *Secretary:* Keep accurate minutes of all meetings of association governing body, 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 governing body, maintain roll of members, keep accurate accounts of receipts and expenditures, report to each meeting of association and board of directors, prepare annual financial statement for membership, assist in drafting annual budget. The treasurer shall be bonded and the association shall provide for an annual audit of the books.

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- E. *MEA 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. *NEA representative assembly delegates:* Keep association informed of actions by the NEA and issues to be presented to the Representative Assembly, attend the 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 governing body shall rest the duties, responsibilities and authority for conduct of the association in all matters except as provided in the Constitution and Bylaws; the governing body may at any time refer matters to the general membership for consideration.

#### **VI. Association representatives**

- A. Association representatives are elected on the basis of one (1) AR for each fifteen (15) members or major fraction thereof, allowing each building (classification) at least one (1) association representative.
- B. Duties shall be to attend regular meetings of the governing body, call meetings of building (classification) membership to discuss association business, conduct enrollment of members and provide communication between members and governing body.
- C. Term of office shall be for two (2) years and commence September 1.
- D. Vacancy in the position of association representative shall be filled by special election in the building (classification).

#### **VII. Nominations and elections**

- A. The president shall appoint an elections committee, which shall establish election procedures that guarantee that all elections shall provide for open nominations by active members, secret ballot, voting procedures and preservation of ballots for at least one (1) year.
- B. The governing body shall certify the elections committee report and publish results of the election. Official reports of elections must be filed with MEA within thirty (30) days after the election. Official reports of elected representative assembly delegates shall be filed with MEA within ten (10) days after the election.
- C. A vacancy in any of the positions shall be filled by the governing body until the next general election, except a vacancy in the position of Representative Assembly delegate(s). A Representative Assembly delegates(s) shall be replaced by the duly elected alternate(s).
- D. Delegates to the representative assembly may be recalled for just cause.

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- E. Every active member in good standing shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.
- F. When there are three (3) or more representative assembly delegates elected, a third world representative shall be elected as required by the MEA Constitution and Bylaws.

#### **VIII. Contract ratification**

Contract ratification procedures shall minimally incorporate the following:

- A. Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for ratification vote.
- B. A majority vote of those members voting shall be required for ratification.
- C. Only members in good standing may vote on ratification.

#### **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 the Bylaws may also be introduced by the governing body. 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 governing body, 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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