

# THE OVID-ELSIE EDUCATION ASSOCIATION

## CONSTITUTION

*Adopted April 1999  
Revision November 2012*

### **Article I – Name**

The name of this organization shall be the OEEA/SCEA/MEA/NEA. AN AFFILIATED GROUP OF THE MICHIGAN EDUCATION ASSOCIATION AND THE NATIONAL EDUCATIONAL ASSOCIATION. This association shall be a non-profit corporation organized in accordance with the Laws of Michigan.

### **Article II – Objectives**

The objectives of this organization shall be:

1. To improve education
2. To advance the interests of education and educators
3. To promote the professional growth of its members

### **Article III – Membership**

Section 1. All professional persons employed and engaged in the instruction and related instruction 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.

Section 2. Active members of this organization shall be also members of the Shiawassee County Education Association, Michigan Education Association and the National Educational Association

Section 3. All affiliate members including annuity-affiliate members residing in the area may be considered non-voting members of the District and may be represented on the Executive Board.

Section 4. No member shall be censured, suspended, or expelled without a hearing. The hearing shall be conducted by the local trial body or by the local Board of Directors. If no trial body exist, an appeal may be made to the Regional Board of Reference or the MEA Board of Reference if no regional board exists.

### **Article IV – Officers and Boards**

Section 1. The officers of the District shall consist of a President, President-Elect (Vice President), Immediate Past President, Secretary, Treasurer, delegate(s) to the Region Council and delegate(s) to the Michigan Education Association Representative

Assembly. All the officers shall take office on the first day of May and shall serve for one (1) year, with the exception of the delegate(s) to the Region Council and the Michigan Education Association Representative Assembly whose terms of office shall be two (2) years. Officers must be members of the United Profession.

Section 2. There shall be a representative body with full governing powers, to be known as the Executive Board, which shall consist of the above named officers and the Association Representatives.

Section 3. A member of the Executive Board by reason of unexcused absence from three (3) consecutive meetings shall no longer be considered as officer of the organization and this vacancy shall be filled as provided in the by-laws.

## **Article V – Direct Legislation**

Section 1. 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 majority of the total active membership shall be required for its adoption, which shall take effect thirty (30) days later.

Section 2. Recall. The right of recall shall rest with the electing body. Upon receipt of a petition signed by fifteen percent (15%) of the active 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.

## **Article VI – Membership and Fiscal Year**

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

### **Article VI – a**

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

## **Article VII – Amendments**

Section 1. An amendment to this constitution may be introduced at any regular meeting of the Executive Board, to be acted upon at subsequent regular meetings, but not later than two (2) regular meetings. A copy of the proposed amendment, together with the recommendations of the Executive Board shall be sent to each member of the District, after which it shall be submitted to a vote of the District at a regular meeting, or by a secret ballot at building meetings. A two-thirds majority of those voting is required to adopt the proposed amendment.

# THE OVID-ELSIE EDUCATION ASSOCIATION

## BYLAWS

*Adopted May 1995  
Revision November 2012*

### **Articles I- Rules of Order**

Robert's Rules of Order Revised shall be the authority on all questions of procedure not specifically stated in this constitution and bylaws.

### **Article II- Meetings**

Section 1: General Membership meetings shall be called by the President of the Executive Board as needed. At least eighteen (18) hours notice is required, specifying date, time, place, and purpose of such meetings.

Section 2: The Executive Board shall convene at the start of each year to establish a calendar for monthly meetings. After establishment of a calendar, the membership shall be notified of dates, times and place of meetings. The Executive Board does have the option to set more or fewer meetings. These meetings may be called by the President with eighteen (18) hours of notice specifying date, time, place and purpose of the extra meetings.

Section 3: Special meetings may be called by the President, the Executive Board, or a petition signed by ten percent (10%) of the general membership.

Section 4: The membership shall be advised of Executive Board actions taken at each meeting by their Association Representative, either in writing or during a conducted meeting, with said communication taking place in each building within ten (10) days following the Executive Board meeting. The results of any recommendations made by these groups shall be given to the President of the Association, in writing or verbally presented, within two (2) weeks or at the next Executive Board meeting.

Section 5: The order of business shall be as follows unless changed by the President or a vote of the membership present:

1. Opening remarks by the President
2. Changes to Agenda
3. Secretary's report and adoption of minutes
4. Treasurer's report
5. Region Council Delegate's report
6. Representative Assembly Delegate's report
7. SCEA report
8. Committee report
9. Unfinished business

- 10. New business
- 11. Building Concerns

Section 6: Except for the reasons set forth in MEA administrative Policy XII, all meetings of the local shall be open to all members. Closed sessions may be held with the vote of two-thirds roll call vote of the Executive Board membership present under the following circumstances:

- a. To hear charges brought against an officer, employee, or member when that person requests a closed hearing;
- b. For strategy and negotiating sessions; or
- c. To consider awards, organizing activities, or items of a sensitive nature

Section 7: All votes taken on monetary matters at general and building meetings shall be by secret ballot as per election guidelines.

Section 8: All motions made at Executive Board and general meetings shall be presented to the Secretary before being voted upon.

Section 9: Any association member shall be permitted to address any meeting of the local, subject to the provision of OEEA Bylaws, Article I. Those members wishing to address the Executive Board must sign in with the secretary and declare their intent to speak to the board. The President then will place the member on the agenda during New Business. Speakers will be limited to three (3) minutes to address the Executive Board. If the Executive Board desires, that limit may be extended by a majority vote.

Section 10: At least eighteen (18) hours notice of a meeting is required except in emergencies

### **Article III- Quorum**

Section 1: A quorum for all Association meetings shall consist of twenty-five percent (25%) of the members.

Section 2: A quorum for all Executive Board meetings shall consist of fifty percent (50%) of those elected.

Section 3: A quorum for building meetings shall consist of fifty percent (50%) of the voting members working in the building.

### **Article IV- Duties of Officers**

Section 1: The President shall preside at all meetings of the Association and of the Executive Board. He/she shall appoint all other committees not provided for herein, subject to the approval of the Executive Board, and shall be an ex-officio member of all committees.

Section 2: The Vice-President shall assume all duties of the President in case of the absence of the President. He/she shall be a member of a standing committee, as delegated by the President.

Section 3: The Immediate Past President shall advise the representative body and assist the President as requested.

Section 4: The Secretary shall keep a record of all meetings of the Association and Executive Board and shall handle all official correspondence for the organization. Copies of Executive Board meeting minutes are to be forwarded to Executive Board members. Such records are to be available for membership inspection upon reasonable request.

Section 5: The Treasurer shall keep a financial record of this organization and shall be responsible for the collection of revenue and disbursement of funds upon authorization of the Executive Board in March. This budget shall be voted upon by the membership of the Association.

Section 6: The delegate(s) to the Region Council shall present an oral and/or written report of Region Council activities at each meeting of this organization and shall be responsible for maintaining a close relationship with the Region Council.

Section 7: The delegate to the Representative Assembly shall keep the Association on alert to significant actions by the state associations, and issues to be presented to the Representative Assembly. The delegate shall serve as chairperson of the Resolutions Committee.

## **Article V- Association Representatives**

Section 1: All Association Representatives will serve two (2) years in office beginning with the first Executive Board meeting in May. The elections are to be held in April.

Section 2: Association Representatives will be elected on the basis of one (1) representative per twelve (12) members or major fraction thereof, allowing each building at least one association representative.

Section 3: Duties: Attend regular meetings of representative body, call meetings of building membership to discuss Association business, supervise enrollment of members in building, and provide communication between members of the representative body.

Section 4: Association Representatives have the responsibility of notifying the president of any retiring members in their building. The president will present the retiring staff members on the basis of \$5.00 per year in the system.

## **Article VI- Executive Board**

Section 1: Upon the Executive Board shall rest the duties, responsibilities, and final authority for the conduct of the District in all matters except as stated otherwise in the Constitution and By-Laws provide they may at any time refer matters to the general membership for consideration.

Section 2: The Executive Board shall authorize payment of monies. An audit of association accounts shall be performed at the end of each fiscal year.

Section 3: In case a vacancy in any office occurs, it shall be filled by the Executive Board, and the person chosen shall serve only to the end of the unexpired term.

Section 4: The Executive Board may appoint a Parliamentarian to assist in enforcing Robert's Rules of Order Revised, at general Association meetings.

## **Article VII- Instructional Council**

Section 1: The duties of the Instructional Council representative shall be to review, study, and analyze present and proposed changes in current practices and submit observations and recommendations to the Board and general membership.

Section 2: Each Instructional Council representative shall be elected from the buildings he/she represent. Representation will be determined by building, department, and grade level elections.

## **Article VIII- Committees**

Section 1: The following are suggested standing committees of this organization:

Professional Rights and Responsibilities: Provide information and recommendations to the Executive Board and general membership regarding tenure, ethics, related personnel policies; also responsible for administering the professional grievance procedure as outlined.

Public Relations: Provide continuing information through official Association publication to membership, maintain relations with general public, and submit recommendations to the Board and general membership.

Economic Study: Provide information and recommendations and related economic information and submit related recommendations to the Board and general membership.

Legislation: Responsible for studying state and federal legislation and maintaining close relationships with legislators and Congressmen and submitting recommendations to the Board and general membership.

Professional Negotiations: Review, study, analyze, and present the agreement between the Association and employing Board of Education and make recommendations to the Board and general membership, negotiate prepared changes in the agreement as directed by the Board and general membership.

- a. The Ovid-Elsie Education Association, through its Executive Board shall solicit persons interested in participating in professional negotiation. A communication regarding this shall be sent to each member through inner office mail no later than October 1 of the last year of the current contract.
- b. Persons interested in participating in professional negotiations shall indicate this desire in writing to the Association President prior to November 1 of the last year of the current contract.

- c. The OEEA President shall make names of persons interested in participating in professional negotiation known to the general membership as a whole no later than November 10 of the last year of the current contract.
- d. Professional negotiation team members must be elected by the Association Membership as a whole.
- e. The election of negotiation team members shall take place during the month of November.
- f. Two (2) elementary with one from each building if possible, one (1) middle school and two (2) high school members will be elected to the negotiation team from the entire Ovid-Elsie School District. From the field of nominees, the two (2) highest vote getters in each category will win seats to the team. If only one (1) elementary or high school person runs for a seat, then only one person from that category will be elected.
- g. Only those agreements reached during professional negotiation that are specifically included in a ratified document, or reached by administrative and/or executive board agreement shall be considered binding.

Section 2: Special Resolutions authorize the President to appoint such other committees as the Executive Board or general membership deem advisable.

Section 3: Members shall be appointed by the President, except for the negotiation team, with the approval of the Board for one year terms.

## **Article IX- Nominations and Elections**

Section 1: The President shall appoint an elections committee which shall establish election practices which guarantee that all elections shall provide for open nominations, secret ballot, and voting procedures.

Section 2: The Elections Committee may conduct the election of officers by secret ballot at the annual meeting in April. Nominations for the various officers shall be brought in by a nominating committee in writing and nominations may also be made from the floor at the annual meeting in April. Election procedures will follow established election guidelines. Election ballots must be preserved for at least one (1) year.

Section 3: The Executive Board shall certify the Elections Committee report and publish results of the election. Official reports of elections must be filed with the MEA for Representative Assembly Delegates within ten (10) days after the election or local officers within thirty (30) days after the election.

Section 4: Vacancies in one of the positions shall be filled by the Executive Board until the next general election.

Section 5: All officers plus NEA delegates must be elected at large by the membership.

Section 6: All officers shall be elected based on the one-person, one-vote principle.

Section 7: Every active member to be represented by a MEA-RA or NEA-RA delegate shall have the opportunity to vote.

Section 8: Third world representation. The ethnic representation shall be in compliance with the Constitution and By-Laws of the National Education Association and the Michigan Education Association. In the event that the ethnic representation is less than required by the Constitution and By-Laws of the MEA and NEA, rules and procedures shall be established for an At-Large election to insure proportionate ethnic minority representation.

### **Article X- Dues**

Section 1: The dues of the local association shall be \$105 as established by a vote of the membership. Changes in this amount will be established by a membership vote without constitutional amendment.

Section 2: The annual dues shall include District, Michigan Education Association, and National Education Association membership fees. They may be paid by payroll deductions throughout the school year, or in one single payment by November 1 of each school year.

### **Article XI- Salaries and Reimbursements**

Section 1: The following are the salaries that the paid Executive Board members receive:  
Board Members receive:

President: \$1500.00  
Vice-President: \$200.00  
Treasurer: \$500.00  
Secretary: \$250.00

Section 2: The members of the Professional Negotiations team shall receive a salary. The current salary is \$4,000.00 divided up by the negotiating team members, paid yearly.

Section 3: Payment for mileage will be commensurate with the current Master Agreement. Mileage for negotiations sessions with the Board of Education's representative(s) shall be paid at the discretion of the Executive Board. Expenses for conferences will be paid upon completion of the proper forms and the authorization of the Executive Board. This payment will not include local meetings.

### **Article XII- Master Agreement**

Section 1: An affirmative vote of two thirds of those members present is necessary to ratify the Master Agreement.

Section 2: Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to the membership for a ratification vote.

Section 3: Only members in good standing may vote on ratification.



Section 4: Master agreement changes, addendums, or deletions must be submitted and written in exact contract language and presented to the membership one meeting prior to the ratification vote.

Section 5: Members may elect to vote on the tentative agreement following its presentation at the information meeting. The final ratification vote shall follow established election guidelines.

### **Article XIII- Amendments**

Amendments to these By-Laws 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 By-Laws may also be introduced by the Executive Board. 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(s) together with the recommendations of the Executive Board 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(s), which shall become effective immediately upon adoption unless otherwise provided.

## **ELECTION GUIDELINES**

1. Voting materials will be offered to all current OEEA members.
2. Voting materials will include, but not limited to:
  - a. Ballot
  - b. Secret ballot envelope
  - c. Signature envelope (The marked ballot is to be sealed within the secret ballot envelope which is then sealed in the signature envelope. The signature envelope must display the printed name and signature of the member voting)

On-line voting may be conducted without the ballot and signature envelope.

3. In the event of an in-school election done by paper ballot, individual members must collect ballot materials from the designated voting area for that building/teacher group. Members then have the responsibility to return the materials to the designated area within the allotted time.
4. Elections will take place over no less than a three day period of time. These dates are to be established by formal resolution of the OEEA Executive board.
5. Absentee ballots shall be made available unless on-line voting takes place. Those individuals requesting an absentee ballot must make a written request to the Elections Committee no later than one week before the first day of the election. Ballot materials will then be mailed no later than two days after receipt of the absentee ballot application. The member is responsible to return the ballot by mail postmarked no later than midnight of the last day of the election.
6. It shall be the responsibility of the Building Representative to advertise the the upcoming election by posted notice. This notice may include sample ballot, if available, dates of the election, the designated area for the election, and time requirements. This Building Representative shall assist those wishing an absentee ballot by providing the proper form and/or seeing that the form reaches the Elections Committee.

### **OVID-ELSIE EDUCATION ASSOCIATION** **BALLOT COUNTING PROCEDURE**

1. Ballots will be counted with no less than three OEEA members present, at least one of whom must be an Elections Committee Member.
2. Ballot signature envelopes will be compared with an active membership list. As each signature is verified, the signature envelopes will be opened and the secret ballot envelopes placed in a separate pile. After this is done, the number of members indicated on the list will be compared with the number of opened signature envelopes and the number of secret ballot envelopes. These numbers must coincide.
3. Secret ballot envelopes will then be opened and counted.
4. Election results will be disseminated to Building Representatives to post in their buildings.

\_\_\_\_\_  
(Date of Request)

## **Request for an Absentee Ballot**

I request an absentee for the \_\_\_\_\_  
(purpose, date)

Election of the Ovid-Elsie Education Association. I am a current, dues-paying Member.

\_\_\_\_\_  
(Member Signature)

\_\_\_\_\_  
(Name Printed)

Date Absentee Ballot Request Received: \_\_\_\_\_

Date Voting Materials Mailed: \_\_\_\_\_

Date Return Ballot Postmarked: \_\_\_\_\_