

Owosso Education Association  
Constitution & Bylaws

Amended and ratified: October 21, 2014

OWOSSO EDUCATION ASSOCIATION CONSTITUTION

article I. Name

The name of this professional organization shall be the Owosso Education Association. The association IS a nonprofit corporation organized in accordance with the laws of Michigan and exempt from tax under Section 501(C)(5) of the Internal Revenue Code of 1986.

article II. Objectives

The objectives of this organization shall be:

1. To continue the improvement of education for children and adults within the Owosso School District.
2. To advance the general interests of education and educators.
3. To promote the professional growth of its membership and to promote the objectives of the MEA / NEA.

article III. Membership

- Section 1. All professional certified employees employed in the Owosso Public Schools who meet the active membership requirements of the Michigan Education Association may, upon payment of dues, as herein provided, become active members of the association with full rights and privileges of membership. In accordance with the MEA Constitution, active members of the Owosso Education Association shall also be members of the MEA and NEA.
- Section 2. 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 MEA Board of Reference.
- Section 3. 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.

article IV. Officers and executive board

- Section 1. The officers of this organization shall consist of a:
- a.) President
  - b.) Vice-president
  - c.) Secretary
  - d.) Treasurer
- All officers shall be members of the OEA - MEA - NEA.
- Section 2. There shall be a representative body with full governing powers to be known as the Executive Board which shall consist of:

- a.) the above named officers.
- b.) the immediate Past President.
- c.) MEA and NEA Representative Assembly delegate(s).
- d.) Region Council delegate(s).
- e.) SCEA delegates
- f.) Association Representatives or their designated alternatives as defined in the Bylaws.
- g.) Standing Committee personal to include:
  - ⇒ Professional Negotiations Team and the financial advisor.
  - ⇒ Professional Rights and Responsibilities chairperson (Grievance).
  - ⇒ Scholarship chairperson.
  - ⇒ Library Fund chairperson.
  - ⇒ Public Relations chairperson.
  - ⇒ Other committee chairpersons as established by the Executive Board.

Section 3. 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.

Section 4. 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.

#### article v. Affiliation

This organization shall affiliate annually with the MEA - NEA and may affiliate with other lay and professional organizations as long as there is no conflict of interest with the above listed objectives.

#### Article VI. Direct legislation

Section 1. Initiative. The rights of popular initiative shall rest with the active membership in good standing of the association. Upon receipt of a petition signed by at least fifteen percent (15%) of the active membership in good standing 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 in good standing shall be required for its adoption, which shall take effect thirty (30) days later.

Section 2. Referendum. The rights of referendum shall rest with the active membership in good standing of the association. Upon receipt of a petition signed by at least fifteen percent (15%) of the active membership in good standing 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 in good standing shall be required for its adoption, which shall take effect thirty (30) days later.

Section 3. Recall. The right of recall shall rest with the electing body. Upon receipt of a petition signed by at least fifteen percent (15%) of the membership in good standing 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 in good standing shall be required for its adoption, which shall take effect thirty (30) days later. Delegates to the MEA Representative Assembly may only be recalled for just cause.

#### Article VII. Membership and fiscal year

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

#### Article VIII. Authority

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.

#### article IX. Amendments

- Section 1. Amendments to this Constitution may be introduced at any meeting of the Executive Board by petition bearing Signatures of At least ten (10%) percent of the Active total membership in good standing. A copy of the proposed amendment together with recommendations of the Board shall be sent to each member of the association at least thirty (30) days prior to the vote. A two-thirds (2/3) majority of the Active total membership-in good standing voting is required to adopt the proposed amendment.
- Section 2. The Bylaws may be amended by a majority vote of the Active total membership in good standing voting, providing notice in writing of the proposed amendment has been sent to the general membership thirty (30) days prior to the vote. An amendment to the Bylaws may be presented by a vote of the Executive Board or by At least ten (10%) percent of the Active total membership-in good standing.
- Section 3. This Constitution shall be ratified by:
- a) majority vote of the Executive Board, and
  - b) a simple majority of the active total members in good standing voting

#### article X. Dissolution

In the event of dissolution of the association, any assets remaining, after the payment 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.

## OWOSSO EDUCATION ASSOCIATION BYLAWS

### article 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. Nominations and elections

- Section 1. A committee on elections, chaired by the Vice-president, shall conduct the election, by secret ballot, of officers and representatives by April 1. Nominations for the various offices, including SCEA, Region Council, MEA, and NEA delegates, shall be made of and by active OEA members in good standing. Nominations shall be made to the committee on elections fifteen (15) days prior to the election. Nominations for each office shall be made with the consent of the nominee. A list of candidates shall be placed in the hands of each member in good standing at least ten (10) days before the annual election. For elections conducted using paper ballots, the tallying of votes shall occur in a meeting open to any active OEA member in good standing. The preserved ballots shall be kept in the custody of the president for a period of one year. Elections may also be conducted electronically online.
- Section 2. 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.
- Section 3. Every active member in good standing shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.
- Section 4. All those elected to hold an office, except the delegates and alternates to the MEA and NEA Representative Assembly and the Association Representatives, shall take office on May 1, and shall serve for one year. In case a vacancy in an office occurs, except a vacancy in the position of MEA or NEA Representative Assembly delegate(s), it shall be filled by the Executive Board. MEA or NEA Representative Assembly delegates(s) shall be replaced by the duly elected alternate(s).
- Section 5. Delegates and alternatives to the MEA and NEA Representative Assembly (RA) shall serve for two (2) years and shall take office September 1. 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. 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.
- Section 6. In each building there will be an election by the members in good standing of that building of Association Representatives who will serve on the Executive Board. One (1) Association Representative will be elected for each thirty (30) association members in that building, or any fraction thereof. Each building will have at least one (1) Association Representative. Those buildings having only one Association Representative will elect an alternate to assume the duties and responsibilities of the Association Representative when absent or when unable to attend Executive Board

meetings. The term of office for the Association Representative / alternate will be for two (2) years.

- Section 7. The election of Association Representatives will be conducted by the incumbent building representatives(s) prior to May 1 as directed by the Executive Board. The newly elected representative will assume their duties effective May 1 of the year elected.

#### Article III: Duties of Officers And Representatives

- Section 1. The President shall preside at all meetings of the association and of the Executive Board. (S)He 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. (S)He may attend state and national meetings representing this organization. (S)He is encouraged to attend the Region Council meetings and may serve as a delegate to the Region Council.
- Section 2. The Vice-president shall assume all the duties of the President in the event the President is absent or resigns, The Vice-president shall also serve as the representative of the OEA at such meetings that the President cannot attend or other activities deemed necessary by the President. (S)He will also serve as the chairperson of the elections committee and program chairperson.
- Section 3. The delegates and alternates to the Representative Assembly shall be responsible for keeping the organization alert to significant actions by the State Association and shall make a written and/or oral report following the Representative Assembly.
- Section 4. The delegate(s) to the Region Council shall present an oral and/or written report of Region Council activities to the Executive Board following each meeting.
- Section 5. The Secretary shall keep a permanent and accurate record of all meetings of the Executive Board and general membership meetings, make minutes available for membership inspections, maintain official files and assist the president with association correspondence.
- Section 6. The Treasurer shall keep a financial record of the organization and shall be responsible for the collecting of revenue and disbursements of funds upon authorization of the Executive Board. (S)He shall be responsible for preparing in writing an annual financial statement to be made available to the members. (S)He shall be bonded. An audit is to be made by a bookkeeping service yearly or per MEA's *Local Treasurer's Handbook*.
- Section 7. It is the responsibility of the Association Representatives to attend all scheduled Executive Board meetings and conduct regularly scheduled building meetings to report actions of the Executive Board to the OEA members they represent. Alternate Association Representatives from buildings with only one AR will assume the duties of the building's AR when the regular Association Representative is unable to attend a scheduled meeting or is absent from the building.

#### article IV: Executive board

- Section 1. The Executive Board shall have the duty, responsibility and final authority for the conduct of the OEA in all matters except as stated otherwise in the Constitution and

- Bylaws, provided they may at any time refer matters to the general membership for consideration.
- Section 2. The Executive Board may authorize payment of moneys from the OEA treasurer upon application of standing committee chairpersons.
- Section 3. The Executive Board shall meet monthly during the regular school year, and special meetings may be called by the President or a majority of the Executive Board.
- Section 4. The Executive Board shall be responsible for official communications with the Owosso Board of Education on behalf of the membership.
- Section 5. Upon petition of twenty-five (25) members in good standing or more, an act of the Executive Board must be submitted to the membership for approval.

#### article V: Committees

- Section 1. The following shall be standing committees of this organization and shall be activated at the discretion of the President, Executive Board or by petition of ten (10%) percent of the general membership-
- a) Professional Negotiations
  - b) Professional Rights and Responsibilities (Grievance)
  - c) Public Relations
  - d) DWSIC - District Wide School Improvement Committee
  - e) Constitution
  - f) Political Action
  - g) Scholarship
  - h) Owosso Public School Memorial Library Fund
  - i) Membership
  - j) Program Planning
  - k) Screening and Recommendations
- Section 2. Other committees may be established by the Executive Board or general membership as the need arises.
- Section 3. There shall be a chairperson for each of the activated standing committees appointed by the President with the approval of the Executive Board.
- Section 4. A permanent record may be kept by the active committees. An annual report to the Executive Board should be given by each committee in the spring.
- Section 5. The Professional Negotiations committee shall consist of four (4) members (two elementary/two secondary) appointed by the President and approved by the Executive Board who shall give due consideration to the MEA and NEA standards for a professional negotiator.
- Section 6. A financial advisor to the Professional Negotiations committee will be appointed by the President upon recommendation of the Professional Negotiations committee and with the approval of the Executive Board.
- Section 7. The term of office of the membership of the Professional Negotiations committee shall be three (3) years and shall begin on September 1. Members of the committee whose terms expire during a contract negotiations year will continue in their positions until a contract is ratified. Consecutive terms may be granted with the approval of the Executive Board.
- Section 8. The chairperson of the Professional Negotiations committee shall be elected by the committee.

- Section 9. In the event a vacancy occurs on the Professional Negotiations committee, the President will fill the position with the approval of the board.
- Section 10. The term of the financial advisor will be one (1) year.
- Section 11. The President and the financial advisor shall be advisory members (without vote) of the Professional Negotiations committee.

#### article VI: Meetings

- Section 1. There should be at least two meetings of the general membership each year. 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.
- Section 2. Special meetings of the general membership may be called by the President, or the Executive, or by petition of ten (10%) percent of the Active total membership in good standing.
- Section 3. The order of business for all meetings shall be as follows unless changed by a vote of the membership present:
- 1) Opening remarks by the President
  - 2) Secretary's report and adoption of the minutes
  - 3) Treasurer's report
  - 4) Representative Assembly delegate report
  - 5) Coordinating and Region Council delegate report
  - 6) Committee reports
  - 7) Unfinished business
  - 8) New business
  - 9) Adjournment
- Section 4. Except as specified in MEA Administrative Policies, meetings shall be open to all active members in good standing and active members in good standing shall be permitted to address meetings.

#### article VII: Publications

- Section 1. There shall be an official publication of this organization which shall be sent to each member during the school year.
- Section 2. The Public Relations committee shall be responsible for publishing a newsletter.

#### article VIII: Quorum

- Section 1. A quorum for a general membership meeting shall consist of the members present.
- Section 2. A quorum for meetings of the Executive Board shall consist of the board membership present.
- Section 3. A quorum of committee meetings shall consist of a majority of the members of the committee.

#### article IX. Contract ratification

Contract ratification procedures shall minimally incorporate the following:

- Section 1. Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for ratification vote.

- Section 2. Ratification of a contract may not occur any sooner than 72 hours after the tentative contract has been submitted to the membership.
- Section 3. A majority vote of those members voting shall be required for ratification.
- Section 4. Only members in good standing may vote on ratification.

article X: Dues

- Section 1. The local dues of the membership in the organization shall be seventy-seven (\$77.00) dollars for the 2007-2008 school year. In subsequent years, dues will be increased each year by a percentage equal to the percentage increased in the base BA salary per the OEA contract. Five (\$5.00) dollars shall be designated for the OEA Scholarship Fund.
- Section 2. The following honorariums will be provided:
- |                            |                                  |
|----------------------------|----------------------------------|
| ⇒ President                | \$400 + 100% OEA/MEA/NEA Dues    |
| ⇒ Vice-president           | 60% of OEA/MEA/NEA Dues          |
| ⇒ Secretary                | 60% of OEA/MEA/NEA Dues          |
| ⇒ Treasurer                | \$200 + 100% OEA/MEA/NEA Dues    |
| ⇒ PN Chairperson           | \$300 + 100% OEA/MEA/NEA Dues    |
| ⇒ PN Committee Members     | 66.7% of OEA/MEA/NEA Dues/member |
| ⇒ Financial Advisor        | 66.7% of OEA/MEA/NEA Dues        |
| ⇒ PR & R Chairperson       | 66.7% of OEA/MEA/NEA Dues        |
| ⇒ Building Representatives | 100% of OEA dues                 |
- Upon request of the recipient, any honorarium may be paid by check in lieu of dues not being deducted from payroll.
- Section 3. The honorariums will be reviewed prior to the spring election. Any changes proposed by the Executive Board in reference to the honorariums will be submitted for approval of the membership.
- Section 4. Delegates to the NEA Convention will receive expense money and transportation which will be arranged and approved by the Executive Board before departure.
- Section 5. Executive Board shall have the option of approving a second delegate to the NEA Convention as governed by MEA/NEA guidelines according to funds in the local treasury.