

**-North Carolina Education Support Professional Association
Constitution**

PREAMBLE

The North Carolina Educational Support Professional Association endorses and supports the concept of mutual integration, respect, and dignity of all ethnic groups in the organizational , economic, social, political and educational activities of all its members.

**ARTICLE I
NAME**

Section 1. The name of this Division shall be the North Carolina Educational Support Professional Association/ NCAE.

**ARTICLE II
AFFILIATION**

Section 1. North Carolina Educational Support Professional Association shall be the Division of the North Carolina Association of Educators.

Section 2. All local chapters shall be affiliated with NC-ESPA/ NCAE under its standards for affiliation.

**ARTICLE III
PURPOSES**

Section 1. To unify and strengthen Educational Support Professionals throughout North Carolina so as to enable members to speak with a common voice on all matters of mutual concern and to represent individual and common interests before the North Carolina Boards of Education, State Department of Public Instruction, the North Carolina State Legislature, and other appropriate policy-making authorities.

Section 2. To work for the welfare of school children and the advancement of public education.

Section 3. To promote professional improvement, attitudes, and ethical conduct among all public school Educational Support Professional.

Section 4. To develop and promote affiliate programs: to secure and maintain better employment benefits, uniform practices, and sound retirement systems, with improvements in terms , conditions of employment: Develop, secure maintain a fair employment dismissal procedure for all Educational Support Professional.

ARTICLE IV ORGANIZATION

Section 1. There shall be a State Division whose officers, Board of Directors, and headquarters staff shall coordinate the work of the local chapters and supervise and direct the affairs of the Division.

- A. The Committees which shall be as follows:**
 - 1. Constitution and Bylaws**
 - 2. Professional Development**
 - 3. Legislative**
 - 4. Membership & Communications**
 - 5. Nominations and Elections**
 - 6. Budget**
 - 7. State Convention Arrangements(Representative Assembly)**
 - 8. and such other committees as the Board of Directors may create**

Section 3. The constitution of the local chapters shall contain no provision contrary to the provisions of the constitution of the State Association. The activities of the chapters shall not be in conflict with the purposes and policies of the State Association. NC-ESPA/ NEA shall not affiliate a local chapter unless it meets the following minimum standards:

- A. Each affiliate shall apply the one-person-one-vote principle for representation on its governing bodies. The affiliate shall guarantee ethnic minority representation at least proportionate to its ethnic minority membership.**
- B. The affiliate shall conduct all elections with open nominations and secret ballots.**
- C. The affiliate shall require membership in NC-ESPA and NEA.**
- D. The affiliate shall meet the membership and dues processing schedule of NC-ESPA and NEA.**

- E. The affiliates shall guarantee that no member of said affiliate may be censured, suspended, or expelled, without a due process hearing which shall include an appropriate procedure.**

**ARTICLE V
MEMBERSHIP AND DUES**

Section 1. The classes of membership in NC-ESPA shall be: active and sustaining.

Section 2. Eligibility Requirements

- A. Active membership shall be open to any person who:**
- 1. is employed in the North Carolina public education system as a Educational Support Professional.**
 - 2. is a member of a local affiliate.**
 - 3. is a person eligible for membership who may wish to join individually when there exists no local affiliate.**
- B. Emeritus membership shall be open to any person who is not an active member or otherwise eligible for membership who subscribes to the furtherance of educational support professional goals of NC-ESPA.**
- C. Sustaining membership shall be open to any person who is not an active member of otherwise eligible for membership who subscribes to the furtherance of educational support professional goals of NC-ESPA.**

Section 3. Membership Dues

The Board of Directors shall determine the annual division membership dues. Division dues are mandatory for all active educational support professional members.

Section 4. Privileges of Members

- A. The right to vote on all matters submitted to the membership.**
- B. Eligibility to elect and appoint officers in the Division.**
- C. Admission to and participation in the Division meetings.**
- D. Eligibility to make appointments on committees of the Division.**
- E. Receipt of the Division publications, and**
- F. All Association services available to the membership.**

Section 5. Obligations of Membership

- A. Payment of annual membership dues in local, state and national Organizations.**
- B. Active support and promotion of the stated purposes of the Division.**
- C. Cooperation with Association officers, representatives and Committees through personal service in furthering the program of the Association.**

Section 6. Termination of Membership

Membership may be terminated in accordance with rules and Regulations of the Board of Directors under the following circumstances:

- A. Non-payment of dues**
- B. Flagrant violation of recognized standards**

Section 7 Due Process and Right to Appeal

Members subject to censure, suspension, or expulsion shall be guaranteed due process and appeal rights.

**ARTICLE VI
OFFICERS**

Section 1. The officers of the Division shall be a President, Vice-President, Secretary and Treasurer.

Section 2. The term of the President, Vice-President, Secretary and Treasurer shall be (2) two years beginning July 1 following their election, and shall continue through June 30 of the year in which a successor is duly elected.

Section 3. Resignations: Any officer may resign at any time by giving written notice To the Board of Directors.

Section 4. Duties of Officers

- A. The President shall:**
- 1. preside at all meetings of the Association and the Board of Directors,**
 - 2. call special meetings of the Board of Directors, as need arises, or upon the request of a majority of the directors.**
 - 3. appoint, with the approval of the Board of Directors, chairpersons and members of the standing committees and all special committees,**
 - 4. serve as a member, ex-officio, of all standing and special committees and task forces, excluding the Nominations and Election Committee,**
 - 5. serve as the chief spokesperson on all Division programs and activities,**
 - 6. serve as an official representative at national meetings,**
 - 7. prepare, with the advice and assistance of the Board of Directors, programs for the annual meeting,**
 - 8. prepare, with the coordinator, the agenda for meetings of the Board of Directors,**
 - 9. represent NC-ESPA at meetings of local affiliates and other affiliated groups,**
 - 10. consult with the coordinator on implementation of policies and programs,**
 - 11. perform such duties as may be directed by the Board of Directors,**
 - 12. and perform such other duties as may properly pertain to the office.**
- B. The Vice-President shall:**
- 1. in the absence of disability of the president, perform all the duties of president,**
 - 2. represent the president, upon request, at meetings and conferences sponsored by the Division,**
 - 3. perform other duties that may be assigned by the president.**
- C. The Secretary Shall:**
- 1. record minutes of all official meetings of the Association,**
 - 2. forward draft of minutes to the central office, Uniserv in a timely manner for distribution,**
 - 3. maintain official files of all minutes and correspondence of Division,**
 - 4. and perform other duties that may be assigned by the president.**
- D. The Treasurer shall:**
- 1. receive and keep an accurate account of all funds belonging to NC-ESPA in accordance with administrative agreements between NC-ESPA/NCAE**

2. prepare and present a financial statement at the annual meeting of NC-ESPA in accordance with administrative agreements between NC-ESPA/NCAE,
3. prepare and present a financial statement to the regular meetings of the Board of Directors.
4. chair the budget committee and assist in preparing and presenting an annual budget to the Board and Representatives Bodies.

Section 5. The Board of Directors should adopt By-Laws that will govern the behavior and responsibilities of its officers and Board of Directors.

ARTICLE VII BOARD OF DIRECTORS

Section 1. Composition

The voting members of the Board of Directors shall be composed of the president, vice-president, secretary, treasurer, any NEA Director elected individually who is also a NC-ESPA member, and fifteen District Directors elected from the active member of NC-ESPA in each of the designated 15 districts. In the event that the ethnic representation on the Board of Directors is not equal to the percentage of the ethnic minority membership within the Division, the Board of Directors shall be expanded by additional members-at-large to meet the percentage. Such members shall be elected from the active membership of the Division. All members of the Board shall be considered officers of the Division.

The Uniserv shall be staff liaison to the Board and hold a non-voting position.

Section 2. Nominations and Elections

Directors shall be nominated and elected under open nomination and secret ballot provisions every third year for a term years.

Section 3. Powers and Duties

- A. Supervise and control the affairs and the general management NC-ESPA,
- B. Adopt the general objectives of the Division in the form of resolution,
- C. Adopt the legislative program,

- D. Adopt guidelines for nominations and elections, upon the recommendation of the Nominations and Elections Committees,**
- E. Fill vacancies occurring in the office of Vice-President, Treasurer, and the Board of Directors,**
- F. Provide for the interpretation and implementation of established policies of NC-ESPA/NCAE/NEA.**
- G. Adopt the annual budget, upon presentation by the Budget Committee,**
- H. To set the amount of membership dues, as stipulated in Article V,**
- I. Approve committee appointments made by the president,**
- J. To determine policies governing the administrative services and publications of the Association,**
- K. To determine and assign duties of commissions and committees,**
- L. To approve the formation or discontinuance of local chapters, commissions, committees and districts,**
- M. To make all necessary rules and regulations concerning local chapters,**
- N. To serve as delegates to the meetings of the State Convention,**
- O. Perform all other activities of the Division not specifically assigned in this constitution to other bodies or persons.**

Section 4. Meetings

- A. The Board of Directors shall hold not less than three meetings annually to transact the business of the Division. Special meetings may be called at anytime by the president, or if the president is absent or unable or refuses to act, by a majority of the directors. Notice of the time and place of the meeting shall be given to all members of the Board by the Uniserv Coordinator. The majority of the members of the Board shall constitute a quorum.**
- B. In case of an emergency in the judgment of the President or the Coordinator, a poll of the Board of Directors may be made by electronic means; any action resulting from electronic means shall be ratified by the Board at its next meeting.**

**ARTICLE VIII
REPRESENTATIVE ASSEMBLY**

Section 1. **Functions: The Representative Assembly shall be the state wide representative body of the Division and shall have the following functions:**

- A.** **To serve as a policy-making body on behalf of the membership in carrying out the purposes of the Division,**
- B.** **To review the work of the committees,**
- C.** **To receive, to review, and to take action on proposed amendments to the constitution.**

Section 2. **Composition: The Representative Assembly shall be composed of the following:**

- A.** **Delegates from local chapters**
- B.** **The members of the NC-ESPA Board of Directors, Inc.**
- C.** **Presidents of the local chapters,**
- D.** **All members of the NC-ESPA State Resolutions Committee.**

Section 3. **Meetings: The meetings of the Representative Assembly(State Convention) shall be held each year at the time and place designated by the Board of Directors.**

Section 4. **Delegates: Only those active members whose dues have been paid and sent to headquarters shall be eligible to the delegates.**

Section 5. **Quorum: The presence of a majority of registered delegates shall constitute a quorum.**

Section 6. **Voting rights: Each delegates shall be entitled to one vote.**

Section 7. **Rules of procedure: The rules governing proceeding of the Assembly shall be those set forth by the Rules Committee and adopted by the Assembly, Robert's Rules of Order Newly Revised shall govern as the accepted parliamentary procedure in all business of the Association.**

**ARTICLE IX
NOMINATIONS & ELECTIONS OF STATE OFFICERS**

Section 1. **Nominations and Elections Guidelines/ State Officers**

- A. The Board of Directors shall be responsible to review, adopt and administer the election guidelines set forth by the nominations and elections committee.

Section 2. Procedure/ NC-ESPA Officers Elections

- A. By December 1 all open positions shall be announced to the general membership by the Board of Directors.
- B. Nominations for officers, including District Directors, shall be received by Nominations and Elections Committee by January 14th of each election year.
- C. Ballots will be mailed to each member by February and the elections shall take place during the second week in March, in each election year.
- D. It shall be the responsibility of the Elections Committee to see that the ballots are received, counted, and the results known by the elected officers and general membership no later than May 1 of each election year.
- E. Elected officers will assume office July 1 of each election year.

**ARTICLE X
COMMITTEES**

Section 1. Composition: Committees shall be representatives of the local chapters, of ethnic minorities and of sexes.

Section 2. Term of Office: Members of standing Committees shall be appointed for two-year terms, and these terms shall be suggested so that only one-half of the members shall be appointed to fill the unexpired term of those whom they replace.

Section 3. Replacements: When replacements are necessary because of resignations, inability to serve, etc., a person from the same district shall be asked to serve for the remainder of the unexpired term, except that the replacement of the chairperson of the committee may be made from the membership of the committee.

Section 4. Meetings: Each committee shall meet at least once each year at such time and place as shall be determined by the president of the Division and the coordinator.

Section 5. Records: Each committee shall keep accurate records and reports of the meetings and these shall be kept by the coordinator at headquarters as a part of the permanent record of the Division.

Section 6. Special Conditions:

- A. There shall be a ratio of at least one ethnic minority to three white members on all committees.**
- B. Each category of Educational Support Professional shall be proportionately represented on all committees if possible.**

**ARTICLE XI
AMENDMENTS**

Section 1. Each proposed amendment to this constitution shall be submitted in writing to the Board of Directors at least forty-five (45) days in advance of the next Representative Assembly. The postmark on the envelope shall be evidence of compliance with the deadline.

Section 2. An amendment may be submitted by the vote of a local chapter, by the NC-ESPA Board of Directors, and /or by petition of twenty-five active members.

Sections 3. The Board of Directors shall make the necessary plans for presenting the amendment to the next annual meeting of the Representative Assembly.

Section 4. An amendment submitted to the annual meeting of the Representative Assembly must stand for one year's consideration by the entire membership of the association before coming to a vote at the succeeding annual meeting of the representative Assembly.

Section 5. The Representative Assembly may amend the constitution by a majority (fifty percent plus 1) vote. If the Assembly desires, by a majority vote, the amendment may be submitted to the Division for a vote by the membership. If the Assembly decides to submit the amendment to a vote by the membership, the Board of Directors shall set up the date and make the necessary arrangements for the vote.

Section 6. If any amendment is submitted to the membership for a vote, majority (fifty percent plus 1) of the membership voting shall be required for approval.

Section 7. The amendment shall be presented to every local chapter through its president and published in an official Association publication following its introduction.

Section 8. Resolutions may be submitted or presented (24 hours) prior to the Representative Assembly. Resolutions must be in written format and presented to the President or Resolutions Committee. Resolutions are to be submitted to the membership for a vote, majority (fifty percent plus 1) of the membership voting shall be required for a approval.

**Submitted by: Jameel Williams, President, Janet McGrant, Chairman
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Constitution Advisory Committee
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