

OSBA RESOLUTION
Amend OSBA Constitution to Change Election Processes

SITUATION:

The OSBA Board of Directors has referred one resolution to amend the OSBA Constitution to change election processes to be voted on by December 13, 2013.

RECOMMENDATION:

(13-347) The Board is asked to discuss and vote on this resolution tonight. This is a Board vote, not an individual vote.



Resolution to amend the OSBA Constitution to change election processes

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally-elected public school boards, and

WHEREAS, elections for the Board of Directors of OSBA, the Legislative Policy Committee of OSBA and all elections on resolutions are governed by the OSBA Constitution, and

WHEREAS, the Constitution of OSBA has amended numerous times by the membership of the association, and

WHEREAS, some of the previous modifications to the elections process in the OSBA Constitution have created some internal inconsistencies within the Constitution, and

WHEREAS, the OSBA Board of Directors appointed a special elections committee of the Board to review the Constitution and the elections processes outlined in the Constitution, and

WHEREAS, the special elections committee met and reviewed and the elections process in the OSBA and recommended amending the OSBA Constitution, and

WHEREAS, after reviewing the recommended amendments to the OSBA Constitution as proposed by the special elections committee the OSBA Board of Directors approved the recommended amendments attached to this Resolution at its June 21, 2013 Board meeting.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed amendments to the OSBA Constitution be placed before the membership for consideration during the 2013 OSBA election season, and

BE IT FURTHER RESOLVED that the proposed amendments to the OSBA Constitution and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Submitted by: OSBA Board of Directors

Summary

This resolution, submitted by the OSBA Board, amends the OSBA Constitution.

The proposed changes to the constitution below, include: 1) explanations of each change, 2) current constitutional language and 3) proposed constitutional language that shows the changes.

Article 8: Membership Meetings

Section 1: Changes the date of the annual meeting from November to a date set by the board.

Current language: The annual meeting of this association shall be held in the month of November of each year at such place and time as set by the board of directors. Special meetings shall be called at such time and place as the president may deem necessary.

Proposed language: ~~The annual meeting of this association shall be held in the month of November of each year at such place and time as set by the board of directors.~~ **There shall be held an annual meeting of the association. The date, time and place of the annual meeting shall be set by the Board of Directors.** Special meetings shall be called at such time and place as the president may deem necessary.

Section 2: Adds e-mail as a method of meeting notification.

Current language: All member boards shall be officially notified of the place and time of all meetings by written notice, mailed to either the chairman or the clerk of all member boards at least 30 days prior to the date of the meeting. The board of directors shall cause such notice to be mailed.

Proposed language: All member boards shall be officially notified of the place and time of all meetings by written notice, mailed **via U.S. mail or electronic mail** to either the chairman or the clerk of all member boards at least 30 days prior to the date of the meeting. The board of directors shall cause such notice to be mailed.

Section 3: Modifies the functions of the annual membership meeting.

Current language: The functions of the membership meeting shall be to:

- (a) Approve legislative policies and priorities;
- (b) Approve any resolutions of the association;
- (c) Amend the constitution; and
- (d) Provide a forum for member discussion of the above issues at the annual

membership meeting.

- Proposed language:* The functions of the membership meeting shall be to:
- (a) ~~Approve legislative policies and priorities~~ Receive a report on the state of the association;
 - (b) ~~Approve any resolutions of the association~~ Receive a report on the finances of the association; and
 - (c) ~~Amend the constitution; and~~
 - (d) (c) Provide a forum for member discussion of the above issues at the annual membership meeting.

Section 4: This section is being moved from Article 8 to a new article 11 focused on the resolutions process.

Current language: A majority vote shall be required for resolutions submitted to the membership. Each member board shall have one vote on all resolutions except as follows:

K-12 Districts with an ADMr between 15,600 and 23,400 shall have 2 votes.

K-12 Districts with an ADMr between 23,400.1 and 31,200 shall have 3 votes.

K-12 Districts with an ADMr between 31,200.1 and 39,000 shall have 4 votes.

K-12 Districts with an ADMr between 39,000.1 and above shall have 5 votes.

Votes by member boards must be by official action of the local board with ballots returned to the OSBA offices by December 15.

Proposed language: ~~A majority vote shall be required for resolutions submitted to the membership. Each member board shall have one vote on all resolutions except as follows:~~

~~————— K-12 Districts with an ADMr between 15,600 and 23,400 shall have 2 votes.~~

~~————— K-12 Districts with an ADMr between 23,400.1 and 31,200 shall have 3 votes.~~

~~————— K-12 Districts with an ADMr between 31,200.1 and 39,000 shall have 4 votes.~~

~~————— K-12 Districts with an ADMr between 39,000.1 and above shall have 5 votes.~~

~~————— Votes by member boards must be by official action of the local board with ballots returned to the OSBA offices by December 15.~~

Section 4: This section is being moved from Article 8 to a new article 11 focused on the resolutions process.

Current language: All resolutions to be submitted to the annual meeting, including those recommended by the legislative policy committee, must be submitted in writing to the board of directors at the office of the association at least sixty (60) days prior to the annual meeting. Any recommendations so submitted shall be considered at the annual meeting. Details of each proposed resolution, along with an official ballot, shall be sent to the member boards at least thirty (30) days prior to the annual meeting.

Resolutions may be submitted for consideration by the membership in accordance with the timelines above, by an individual member board or by a regional organization of local member boards.

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~~Resolutions may be submitted for consideration by the membership in accordance with the timelines above, by an individual member board or by a regional organization of local member boards.~~

Article 9: Regional Organization

Section 5: Correct article reference.

Current language: A formal review of the regional structure of the association shall be conducted by the OSBA board of directors at least every three years. Any recommended changes to the regional structure shall be submitted to the membership in accordance with the provisions of Article 12.

Proposed language: A formal review of the regional structure of the association shall be conducted by the OSBA board of directors at least every three years. Any recommended changes to the regional structure shall be submitted to the membership in accordance with the provisions of Article ~~12~~ 11.

Article 10: Election Procedures

Article title: Changes the title to better identify the contents of the article.

Current language: Article 10: Election Procedures

Proposed language: Article 10: Election Procedures - **Board of Directors and Legislative Policy Committee.**

Section 1: Changes the date for election of officers.

Current language: Election of officers, board of director members and regional members of the legislative policy committee shall take place according to the following schedules:

- (a) Officers: By December 15;
- (b) Board of directors: Regional elections in accordance with the elections calendar adopted by the board;
- (c) Legislative policy committee: In conjunction with board regional elections in odd-numbered years in accordance with the elections calendar adopted by the board.

Proposed language: Election of officers, board of director members and regional members of the legislative policy committee shall take place according to the following schedules:

- (a) Officers: ~~By December 15~~ **By September 30**;
- (b) Board of directors: Regional elections in accordance with the elections calendar adopted by the board;
- (c) Legislative policy committee: In conjunction with board regional elections in odd-numbered years in accordance with the elections calendar adopted by the board.

Section 2: Specifies the start date for new officers

Current language: The terms of office for officers shall be one calendar year and until their successors are elected and qualified. The terms of office for board of director members shall be staggered and shall be for two calendar years and until their successors are elected and qualified. The terms of office for regionally elected members of the legislative policy committee shall be two calendar years. No officer except the secretary-treasurer shall serve two consecutive terms in the same office unless the director completed a term for another officer who was unable to complete a term and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms.

Proposed language: The terms of office for officers shall be one calendar year and ~~until their successors are elected and qualified~~ shall commence on January 1st. The terms of office for board of director members shall be staggered and shall be for two calendar years and until their successors are elected and qualified. The terms of office for regionally elected members of the legislative policy committee shall be two calendar years. No officer except the secretary-treasurer shall serve two consecutive terms in the same office unless the director completed a term for another officer who was unable to complete a term and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms.

Section 5: Removes inconsistent language regarding the date newly elected board of director members take office.

Current language: Nomination and election of the OSBA board of directors. Each regional candidate for a director position shall be nominated by a member board of that region by means of a nomination form.

- (a) Notice of position vacancies, candidate information packets, and official nomination forms shall be distributed to all incumbent directors and boards in eligible regions.
- (b) To nominate one or more of its members in its region the school board must send OSBA a formal resolution or motion of the board and timely submission of the nomination form(s) to the office of the OSBA. Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. Nominations will be closed by a date identified in the elections calendar adopted by the board.
- (c) Each regional director shall be elected by the member boards of that region. Such ballot shall be distributed to the member boards and shall be returned to the OSBA offices by dates identified in the elections calendar adopted by the board.

- (d) Each member board in the appropriate region shall have one vote in the regional elections for members of the board of directors. If a member district, Education Service District or Community College=s boundaries span more than one OSBA region, that member board must declare in which region it intends to vote and vote only in that region. The person receiving a majority of the votes cast for a position on the board of directors shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.
- (e) Newly elected regional directors of the OSBA board shall take office on January 1. However, the new board shall meet at least 10 days prior to the November membership meeting to nominate officers for the association (see Section 7 below).

Proposed language:

Nomination and election of the OSBA board of directors. Each regional candidate for a director position shall be nominated by a member board of that region by means of a nomination form.

- (a) Notice of position vacancies, candidate information packets, and official nomination forms shall be distributed to all incumbent directors and boards in eligible regions.
- (b) To nominate one or more of its members in its region the school board must send OSBA a formal resolution or motion of the board and timely submission of the nomination form(s) to the office of the OSBA. Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. Nominations will be closed by a date identified in the elections calendar adopted by the board.
- (c) Each regional director shall be elected by the member boards of that region. Such ballot shall be distributed to the member boards and shall be returned to the OSBA offices by dates identified in the elections calendar adopted by the board.

- (d) Each member board in the appropriate region shall have one vote in the regional elections for members of the board of directors. If a member district, Education Service District or Community College=s boundaries span more than one OSBA region, that member board must declare in which region it intends to vote and vote only in that region. The person receiving a majority of the votes cast for a position on the board of directors shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.

- (e) Newly elected regional directors of the OSBA board shall take office on January 1. ~~However, the new board shall meet at least 10 days prior to the November membership meeting to nominate officers for the association (see Section 7 below).~~

Section 7: Removes inconsistent language regarding the date officers are elected.

Current language: Election of officers of the OSBA.

- (a) Election of officers shall be made by the currently seated board of directors from their own membership at least 10 days prior to the November membership meeting. The nominations for the slate of officers may include more than one candidate for any officer position except for the president and past president.

- (b) The person receiving a majority of the votes cast for an officer position shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.

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- (a) Election of officers shall be made by the currently seated board of directors from their own membership ~~at least 10 days prior to the November membership meeting.~~ The nominations for the slate of officers may include more than one candidate for any officer position except for the president and past president.
- (b) The person receiving a majority of the votes cast for an officer position shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.

Article 11: Resolutions Elections Procedures

Adds a new article to the constitution with language previously found in article 8 for the purpose of making election procedures clearer.

Section 1: Taken from Article 8, section 5 of the current Constitution, this section specifies the process of submitting resolutions to the membership.

Current language: All resolutions to be submitted to the annual meeting, including those recommended by the legislative policy committee, must be submitted in writing to the board of directors at the office of the association at least sixty (60) days prior to the annual meeting. Any recommendations so submitted shall be considered at the annual meeting. Details of each proposed resolution, along with an official ballot, shall be sent to the member boards at least thirty (30) days prior to the annual meeting.

Resolutions may be submitted for consideration by the membership in accordance with the timelines above, by an individual member board or by a regional organization of local member boards.

Proposed language: All resolutions to be submitted to the ~~annual meeting, including those recommended by the legislative policy committee,~~ **membership for consideration** must be submitted in writing to the board of directors at the office of the association ~~at least sixty (60) days prior to the annual meeting~~ **by September 30th**. Any recommendations so submitted shall be ~~considered at the annual meeting~~ **distributed to the membership for consideration and vote**. Details of each proposed resolution, along with an official ballot, shall be sent to the member boards ~~at least thirty (30) days prior to the annual meeting of the association~~ **by October 15th**.

Resolutions may be submitted for consideration by the membership in accordance with the timelines above, by an individual member board or by a regional organization of local member boards.

Section 2: Taken from Article 8, section 4 of the current Constitution, this section provides additional votes on resolutions to districts with large student populations.

Current language: A majority vote shall be required for resolutions submitted to the membership. Each member board shall have one vote on all resolutions except as follows:

K-12 Districts with an ADMr between 15,600 and 23,400 shall have 2 votes.

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K-12 Districts with an ADMr between 31,200.1 and 39,000 shall have 4 votes.

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