

BYLAWS  
OF THE  
EDUCATION SUPPORT PROFESSIONALS  
OF BALTIMORE COUNTY, INC.  
(ESPBC)

Rev Date: June 13, 2019

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4 **BYLAWS**

5 **of the Education Support Professionals of Baltimore County, Inc.**

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7 **Mission Statement**

8 Education Support Professionals of Baltimore County (ESPBC) exists as a voice for education  
9 support professionals at the local, state, and national levels; to provide leadership and training  
10 opportunities, to empower its members, to protect and advocate for their collective bargaining  
11 rights and job security.  
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14 **Article I**

15 **Organization/Affiliations**

16 **Section 1**

17 The name of this organization is Education Support Professionals of Baltimore County, Inc.  
18 (ESPBC) was incorporated in 1979. ESPBC serves as the recognized bargaining agent for  
19 paraeducators, office professionals and other designated classified employees employed by  
20 Baltimore County Public Schools.  
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22 **Section 2**

23 This Association is an affiliate of the Maryland State Education Association (MSEA) and the  
24 National Education Association (NEA). ESPBC is associated with the National Council of  
25 Education Support Professionals (NCESP), the National Council of Urban Education  
26 Associations (NCUEA), and the Teachers Association of Baltimore County (TABCO).  
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29 **Article II**

30 **Purpose**

31 **Section 1**

32 ESPBC represents the interests of and advocates for all members of the bargaining unit; and to  
33 enhance the status and morale of employees in order to actively promote quality education in  
34 Baltimore County Public Schools.  
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37 **Article III**

38 **Membership**

39 **Section 1**

40 **Members**

41 Membership is open to all paraeducators, office professionals, and other designated  
42 classified employees of the bargaining unit employed by Baltimore County

43 Public Schools. All such personnel shall become members upon payment of the required  
44 dues. Upon approval of the ~~Board of Directors, membership may be open to other~~  
45 designated classifications of educational support professionals.

46

47 **Section 2**

48 The membership year shall be in accordance with the MSEA/NEA membership year  
49 which is September 1 through August 31. Membership shall be continuous and predicated upon  
50 payment of the dues.

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52 **Section 3**

53 Membership Cancellation and Revocation of Dues Authorization

54 A member may withdraw his/her membership from association by notifying the Association in  
55 writing at any time. In order to revoke the annual dues authorization, a member must send a  
56 letter via U.S. mail to the Association during the designated drop period identified on  
57 the membership application.

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**Article IV**

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**Dues**

62 **Section 1**

63 The annual ESPBC dues for the upcoming membership year shall be determined each year by  
64 the Representative Assembly prior to the end of the current school year. Dues shall include  
65 ESPBC, MSEA, and NEA.

66

67 **Section 2**

68 Payroll deduction of dues is provided for members. Cash membership dues shall be paid at the  
69 time application is made, and thereafter. Membership dues will be prorated for members joining  
70 during the school year based on the date of enrollment.

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**Article V**

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**Representative Assembly**

75 **Section 1**

76 Authority

77 The Representative Assembly shall be the legislative and policy-making body of the Association.

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79 **Section 2**

80 Membership

81 The Representative Assembly shall consist of representatives elected by the site-based  
82 members from all employment locations throughout the County, members of the Board  
83 of Directors, and others as determined by the Representative Assembly. A quorum shall be  
84 determined when 20% of the Representative Assembly's deliberative assembly members (the  
85 body) are in attendance or when 15 work sites are represented and present.

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**Section 3**

Powers of the ESPBC Representative Assembly shall be to:  
A. Establish rules governing its proceedings;  
B. Fill vacant positions on the Board of Directors accordance with these Bylaws;  
C. Set local dues annually;  
D. Make recommendations to the general membership on the ratification of the collective bargaining agreements between ESPBC and Baltimore County Public Schools; and  
E. Perform or delegate other duties not specifically delegated to an elected or an appointive body or officer in these Bylaws.

**Section 4**

Meetings  
The Representative Assembly shall meet at least three (3) times during the annual period of September through May at a place designated by the Board of Directors. While any member may attend, only representatives may vote on motions.

**Section 5**

The Representative positions (aka Building Reps)  
Association Representatives shall be elected annually in his/her building/site through open nominations and by secret ballot. Should a position become vacant during the year and there is not alternate to serve, then the ESPBC Board of Directors shall appoint a representative for the location.

**Section 6**

Number of Representatives  
Each building/site shall be entitled to one Representative for every 15 members in the building/site.

**Section 7**

Duties of the Representatives  
A. To call meetings of the Association members in their buildings/sites to discuss association business;  
B. To assist in enrolling members in the Association; and  
C. To serve as a communication link between members and the Representative Assembly.

**Article VI**  
**Board of Directors**

**Section 1**

The ESPBC Board of Directors shall consist of the duly-elected officers, three Paraeducators, three Office Professionals, and two members elected at-large by the membership. A quorum shall consist of fifty one percent (51%) of the members of the Board of Directors. A quorum shall be determined when at least 51% of the Board of Directors are in attendance.

130

131 **Section 2**

132 The Executive Officers shall consist of the following positions: President, Vice President,  
133 Secretary, and Treasurer. These officers shall be elected by the membership and shall serve a  
134 three-year term beginning August 1. Each candidate must be an ESPBC member in good  
135 standing for a minimum of two (2) calendar years prior to the date on which nominations for  
136 elections are closed and has served on the Board of Directors for a minimum of one (1) year.

137

138 **Section 3**

139 The Board of Directors shall be designated for three (3) Paraeducators, three (3) Office  
140 Professionals, and two (2) At-Large members, and shall be elected by the membership and each  
141 shall serve a three-year term beginning August 1. Each candidate must be an ESPBC member in  
142 good standing for a minimum of one (1) calendar year prior to the date on which nominations for  
143 elections are closed.

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145 **Section 4**

146 Special circumstances shall be handled in the following manner:

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A. Whenever a complaint has been filed that an officer or member of the Board of  
148 Directors has been grossly negligent of duties defined in the Bylaws or has missed two  
149 (2) meetings without notice, good cause, or is incapacitated, a recommendation shall be  
150 brought to the Review Board.

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B. Whenever an elected position becomes vacant, except the office of President, a special  
152 election shall be held by the Representative Assembly to fill the position.

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C. In the case where the position of the President becomes vacant, the Vice President  
154 shall automatically become President and the office of Vice President becomes vacant. In  
155 the event that both the office of President and the office of Vice President become vacant,  
156 the Representative Assembly shall conduct an election to fill the unexpired terms of these  
157 positions at the next regularly scheduled ESPBC Representative Assembly meeting.  
158 During the intervening period between the resignations of the President and Vice  
159 President, the Secretary shall also assume the office of President and the Treasurer shall  
160 also assume the office of Vice President.

161

162 Nominations for a vacant position can come from the Board of Directors and/or members of the  
163 Representative Assembly. To be elected, a person must receive a majority of the votes cast. In an  
164 election with more than two candidates, if no candidate receives a majority of the votes, a run-off  
165 election shall be held between the two candidates receiving the highest number of votes.

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**Article VII**

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**Duties of the Board**

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**Section 1**

171 The President's duties shall include:

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A. The President is an Executive Officer.

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B. The President shall serve as the official spokesperson for ESPBC.

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**C. The President shall preside at all meeting of the Association and the Board of**

175 **Directors and shall perform all other duties of the office of the President** as specified  
176 in these bylaws and the ESPBC Policies.

177 D. The President shall appoint all committee chairpersons subject to the approval of the  
178 Board of Directors.

179 E. The President shall serve as an ex-officio member of all appointed committees,  
180 excluding Nominations/Elections Committee.

181 F. The President shall be an automatic delegate to the MSEA Conventions and the NEA  
182 Representative Assembly.

183 G. To perform such functions as may be approved by the Board of  
184 Directors/Representative Assembly or which are customarily performed by the president  
185 of an association including the right to delegate certain duties to the officers.

186 H. The President shall appoint the members of the Review Board for the term of that  
187 presidency.  
188

## 189 **Section 2**

190 The Vice President duties shall include:

191 A. The Vice President is an Executive Officer.

192 B. The Vice President shall ensure that all committees stay current and in good standing  
193 as detailed in the policy statement for each committee.

194 C. The Vice President shall perform duties as assigned by the President.

195 D. Should the Office of the President become vacant before the term's expiration, the  
196 Vice President shall assume the position of President and complete the unexpired term as  
197 per these Bylaws.  
198

## 199 **Section 3**

200 The Secretary duties shall include:

201 A. The Secretary is an Executive Officer.

202 B. The Secretary shall maintain an accurate record of Board of Directors and  
203 Representative  
204 Assembly meetings, and shall be custodian of all appropriate records of the Association  
205 term.

206 C. The Secretary shall maintain an accurate list of the membership in conjunction with  
207 the Treasurer.

208 D. The Secretary shall serve as the custodian of archives for ESPBC.  
209

## 210 **Section 4**

211 The Treasurer duties shall include:

212 A. The Treasurer is an Executive Officer.

213 B. The Treasurer shall keep records of all income and expenditures and make a report of  
214 such at each Board of Directors meeting.

215 C. The Treasurer shall serve as the chairperson of the Budget committee .

216 D. The Treasurer shall submit the annual budget at the April Board of Directors meeting.

217 E. The Treasurer shall coordinate membership forms, records, and maintain an accurate  
218 membership list in conjunction with the Secretary.

- 219 F. Checks on the accounts of the Association shall be signed by the Treasurer and one  
220 other Executive Officer of the Association.
- 221 G. In the event the Treasurer is unable to perform the duties of the office, the President  
222 and one other Executive Officer shall sign all checks on behalf of the Association. At no  
223 time shall the individual to whom a check is written be co-signer on the face of the check.
- 224 H. The President and the Treasurer shall make arrangements to have an official audit of  
225 all income and expenditure records at the end of each membership year.
- 226 I. A copy of the bank statement will be presented along with the Treasurer's Report at  
227 each of the Board of Directors meetings and returned upon the conclusion of the  
228 Treasurer's Report as part of a fiscal check and balance.

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## 230 **Section 5**

231 Board of Directors:

232 The duties of the Board of Directors shall be to provide leadership for the Association for the  
233 benefit of all members. The Board of Directors shall perform such duties as are necessary to  
234 operate the Association in accordance with these Bylaws, ESPBC Policies, and State and Federal  
235 Law. The members of the Board of Directors shall attend all Board meetings, attend the ESPBC  
236 Representative Assembly, serve as an active member of at least one standing committee, and  
237 support the activities of the association. With the exception of dues transmittal, the Board shall  
238 approve any expense over \$1,500.

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## 241 **Article VIII** 242 **Review Board**

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### 243 **Section 1**

244 The Review Board:

- 245 A. A Review Board shall be appointed by the President and approved by the Board of  
246 Directors during the annual board retreat.
- 247 B. A member of the Review Board shall hold no elective office or appointed chairperson  
248 of a standing committee identified in Article VIII. The Review Board shall be composed  
249 of seven (7) members, at least two (2) of whom shall be of ethnic-minority. Additionally,  
250 two (2) alternates shall be appointed.
- 251 C. Members of the Review Board shall have been members of the Association for three  
252 (3) consecutive years immediately prior to appointment and shall maintain membership  
253 in the Association during their terms.
- 254 D. The Review Board shall adopt its own rules of procedure in consultation with counsel.
- 255 E. The Review Board shall have jurisdiction in a case of impeachment against an officer  
256 or board member.
- 257 F. The Review Board shall have jurisdiction in alleged ethical violations.
- 258 G. To review and reprimand, if necessary, a decision to censure, suspend, or expel a  
259 member for willful violation of the code of ethics of the education profession or articles  
260 of incorporation, bylaws, policies, or guidelines of the Association or any other matter  
261 deemed appropriate by the Board of Directors.
- 262 H. To vacate a censure, life suspension or reinstate a member.

263 I. To review an action the Representative Assembly or Board of Directors for consistency  
264 with the bylaws and to recommend to the appropriate body remedial action if necessary.

265 J. The Review Board shall have jurisdiction to review, as necessary, an action of the  
266 Board of Directors or Representative Assembly for consistency with the Bylaws of this  
267 Association and to recommend remedial action, if necessary.

268  
269 **Section 2**

270 Officers of the Association or Board Members may be impeached for an unlawful act, for  
271 misconduct in office, or for gross negligence of duties.

272  
273 **Section 3**

274 Impeachment proceedings against an Officer or Board Member may be initiated by a decision of  
275 the Board of Directors or written petition submitted to the Review Board by at least fifteen (15)  
276 percent of the representatives to the Representative Assembly. Upon receipt of the petition, the  
277 Officer or Board Member shall be suspended pending further proceedings.

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279 **Section 4**

280 After a due process hearing, a two-thirds (2/3) vote of a Review Board shall sustain the charge.  
281 The decision of the Review Board is final. The office shall then become vacant.

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284 **Article IX**  
285 **Elections**

286 **Section 1**

287 The Committee on Nominations & Elections shall prepare guidelines for the  
288 nomination, accreditation of officers, board members, representatives, and elections. The  
289 guidelines and an election calendar shall be presented annually to the Representative Assembly  
290 for review and adoption. The guidelines for Nominations and Elections can be found on the  
291 Association website. These guidelines may include but not be limited to the following:

292 A. open nominations;

293 B. provision for the distribution and collection on nominating forms and preparation of  
294 the candidate slate;

295 C. provision for the publication of the list of nominations prior to and during the election;

296 D. provision for the secret ballot election by the membership;

297 E. provision for the tally of the ballots; and

298 F. provision for the election of officers and representatives of the Board of Directors by  
299 the majority of the valid ballots cast or by acclamation where only one candidate is  
300 nominated.

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302 **Section 2**

303 Elections shall be conducted between February and March. Nominations for officers and  
304 members of the Board of Directors shall be solicited from the general membership between the  
305 months of January and February.

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**Section 3**

Officers and members of the Board of Directors shall be elected by a majority of those general members voting on a secret ballot prepared in accordance with these Bylaws and distributed to each member. The President and Secretary are to be elected at the same time and the Vice President and the Treasurer are to be elected at the same time. One Paraeducator/Interpreter, one Office Professional, and one Member At-Large are to be elected each year.

The official ballot shall contain at least one nomination for each office to be elected. The names shall be placed in nomination by the general membership or on the recommendation of the Nominations/Elections Committee. Space shall be allowed on the ballot for writing in one other nominee candidate for each office to be elected. All nominees candidates must be members of the association as stated in Article VI.

**Section 4**

Delegates to the MSEA and NEA Representative Assemblies shall be elected in accordance with the guidelines prepared by the Committee. These guidelines shall be consistent with the Bylaws of MSEA and NEA.

**Section 5**

The Committee shall be the final arbiter of election disputes. Said disputes must be presented to the Committee within five (5) work days of the announcement of the results.

**Article X**  
**Standing Committees**

**Section 1**

The following standing committees, including chairpersons shall be appointed by the President and approved by the Board of Directors. Absent Board of Directors approval of any chairperson appointment recommendation made by the President by the October Board of Directors meeting, the appointment(s) shall be resolved by the Representative Assembly.

The Standing Committees are as follows:

A. Budget: The primary function of this committee is to assist with the fiduciary matters of the association including, but are not limited to internal and external audits, and recommendations regarding changes in dues.

B. Bylaws: The primary function of this committee is to review and recommend additions and deletions to the Association's governing documents, and to present said recommendations to the Board of Directors for review. The committee shall review the bylaws every five (5) years. Upon approval of the Board of Directors, the bylaw recommendations will be sent to the membership.

C. Communication/Publicity: The primary function of this committee is to maintain open communication with membership by developing various ESPBC publications, including

349 but not limited to the website.  
350 D. Government Relations: The primary function of this committee is to work in  
351 conjunction with TABCO, MSEA, and NEA to monitor legislation at all levels of  
352 government that would impact public education. The committee is also involved in the  
353 campaign of endorsed candidates.  
354 E. Minority Affairs  
355 F. Members Benefits: The primary function of this committee is to work in conjunction  
356 with TABCO to help evaluate services made available from various vendors through  
357 BCPS, MSEA and NEA. Workshops are developed and conducted throughout the year.  
358 G. Membership: The primary function of this committee is to recruit and retain eligible  
359 employee to join the Association.  
360 H. Negotiations: The primary function of this committee is to negotiate a contract based  
361 on member needs and build a member awareness of the Association.  
362 I. Nominations/Elections: The primary function of this committee is the handling of our  
363 local elections processes (including but not limited to contract ratification, bylaws, and  
364 standard elections) and ensure its integrity and conduct all elections and report the results  
365 to the Board of Directors. Identify at least one candidate for each vacant office.  
366 J. Professional Development: The primary function of this committee is to provide  
367 relevant professional development through trainings and workshops.  
368 K. Retirement and Recognition: The primary function of this committee is to select the  
369 ESPBC Office Professional and Pareducator of the Year.  
370 L. Scholarship: The primary function of this committee is to create, distribute, receive  
371 and evaluate nominees' applications . Selected nominees will be submitted to the  
372 ESPBC Board of Directors for approval.  
373 M. Sick Leave Bank: The primary function of this committee is to evaluate member's  
374 request for additional sick leave using criteria approved by the committee and BCPS to  
375 grant approval.

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## 377 **Section 2**

378 Membership to any Standing Committee is at the recommendation and appointment of the  
379 President. The maximum number of members per committee is 10 except for joint  
380 committees with TABCO. The maximum number of members to committees, except as  
381 provided for hereinafter, shall be set by the President.

382

## 383 **Section 3**

384 The President shall recommend all chairs and co-chairs for each committee to the ESPBC Board  
385 of Directors for approval by the Board of Directors. In the event that the Board has not  
386 confirmed a chairperson recommended by the President, then all such vacant positions shall be  
387 filled at the next Representative Assembly by majority vote.

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389 Each standing committee shall meet at least four (4) times each year, except for joint  
390 committees. All co-chairs will send a written report and an attendance roster to the President  
391 and Vice President between each meeting.

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Committee chairperson(s) shall prepare an annual report for the committee activities to be submitted to the President and Vice President three weeks prior to the final Representative Assembly. Such reports will be filed with and archived by the Secretary.

**Section 4**

Ad-hoc committees and task forces shall be established by the President and Board of Directors as needed for a time period not to exceed 12 months. Members and co-chairs of ad-hoc committees and task forces shall be appointed by the President. Ad-hoc co-chairs shall report to the President and Vice President.

**Article XI  
Amendments**

**Section 1**

Amendments to these Bylaws may be proposed by or through the Bylaws committee or the Board of Directors.

**Section 2**

Notice of proposed changes to the Bylaws and copy of the proposed changes will be sent to each member at least thirty days prior to a vote.

**Section 3**

Voting may be accomplished either by ballot or at an Association meeting. The Bylaws may be amended by the approval of two-thirds (2/3) of the members voting or attending a meeting for the purpose of voting on said proposed amendments.

**Article XII  
Meetings**

**Section 1**

The Board of Directors shall meet once a month from August to June and at other times deemed necessary by the President.

**Section 2**

There shall be an Annual Meeting of the membership. The ESPBC Annual Meeting shall be held in conjunction with the TABCO Rep. Training.

**Section 3**

The Representative Assembly shall meet at least three (3) times from September to May of the academic year. The representative assembly shall vote on the annual budget, the service

434 agreement, and any changes in dues at the final Representative Assembly of each academic  
435 year.

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437 **Section 4**

438 Meetings shall be governed by Roberts Rule of Order, latest edition.

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**Article XIII**

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**Ratification of the Contract (Master Agreement)**

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444 **Section 1**

445 The ratification of the proposed contract shall be voted on by members of the Association through  
446 secret ballot. Proposed changes to the contract shall be distributed to members prior to their vote.

447 The Nominations/Elections committee shall be responsible for tallying and verifying the vote. For  
448 adoption to occur, a majority vote of those voting is required.

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450 Revised 5/1995; 5/1997; 6/2001; 1/2004; 10/2006; 10/2007; 2/2010; 4/2012; 6/2019