

Constitution

Bylaws

Vineland Education Association  
Vineland, NJ 08360

March 2013

## **Constitution**

### **Article I – Name**

- Section 1: The name of this organization shall be the Vineland Education Association, hereafter referred to as the Association.
- Section 2: It is incorporated as a non-profit corporation under Title 15, Section 1-12 of Revised Statutes of the State of New Jersey.

### **Article II – Affiliation**

- Section 1: The Association shall be an affiliate of the Cumberland County Council of Education Associations, the New Jersey Education Association and the National Education Association.

### **Article III – Purpose**

The purpose of this Association shall be the following:

- Section 1: To strive earnestly and zealously for the attainment of educational programs that will meet the needs of all children living in a rapidly changing society.
- Section 2: To promote the general welfare of members, to advance standards and to establish and maintain good community relations.
- Section 3: To negotiate and improve matters of teacher/secretary salary, terms and conditions of employment with the Board of Education.
- Section 4: To unify all employees eligible for membership so as to enable members to speak with a common voice on all matters of mutual concern and to represent individual and common interests of members before their employers and other legal authorities.
- Section 5: To form a representative body which will function effectively through and be affiliated with the County, State and National Education Associations.

### **Article IV – Membership**

- Section 1:
- A. All certified personnel under contract, or on official leave employed by the Board and all clerical staff members including full-time and permanent part-time clerical employees, but excluding the Superintendent, Assistant Superintendents, Assistant Board Secretary, Principals, Assistant Principals, Psychologist, Supervising Coordinators, Supervising Directors,

Supervisors, Secretary to the Superintendent of Schools, Secretary to the Secretary of the Board/Assistant Superintendent in Charge of Business, Secretary to the Assistant Superintendent of Education, Payroll Supervisor, Supervising Clerk/Typist Vineland High School South 11/12, Supervising Account Clerk/Typist Vineland High School North 9/10, Principal Clerk in the Division of Business Finance, and Principal Personnel Clerk who supervises all personnel clerks and senior personnel clerks within the Administration building.

- B. Members of the Association shall also be members of the Cumberland County Council of Educators, the New Jersey Education Association and the National Education Association.

Section 2: Honorary Members

Honorary membership may be conferred upon members of the teaching profession or other persons for distinguished service to education and the profession. Honorary members shall enjoy all the privileges of the Association except those of voting and holding office and shall be exempt from payment of dues.

Section 3: Rights of Membership

- A. Every member shall have the equal rights and privileges within the organization to nominate candidates for office; to vote in elections or on referenda of the Association; to attend membership meetings; to participate in the deliberations and voting upon the business of such meetings except that in voting on contract ratification only members in the appropriate unit of representation shall have the right to vote.
- B. Every member shall have the right to meet and assemble fully with other members; to express any views, arguments or opinions; to express views at meetings upon candidates in an election of the Association or upon any business properly brought before the meeting.
- C. No member shall be fined, suspended, expelled or otherwise disciplined except for nonpayment of dues without being served with specific written charges and given a reasonable time in which to prepare a defense which may be asserted to a full and fair hearing.

**Article V – Officers**

Section 1: The officers of this Association shall be a President, a Vice-President, a Recording Secretary and a Treasurer.

## **Article VI – Representative Council**

- Section 1: The policy-forming body of the Association shall be the Representative Council.
- Section 2: The Representative Council shall consist of the four current officers of the Association, and representatives from each school, according to the following apportionment.
- A. For every twenty members, or portion thereof, one representative shall be allowed.
  - B. The number of members shall be adjusted by November first of each year with representation adjusted accordingly.
  - C. Itinerant personnel that are members and are not assigned to a faculty shall be entitled to representation from their home school.
- Section 3: Any member of the Association who is not a member of the Representative Council may attend its meetings and may receive permission to speak.

## **Article VII – Executive Committee**

- Section 1: The Executive Committee shall consist of:
- A. Four current officers.
  - B. Ten percent of the Representative Council’s total membership elected from and by the Representative Council. From those elected, there shall be a minimum of one member representing each of the following groups (elementary, middle school, high school, preschool and secretaries), provided that someone is willing to serve.

## **Article VIII – Amendments**

- Section 1: Amendments to the Constitution may be made by a two-thirds majority of the members of the Association voting in a regular official election called for this purpose, provided that each amendment has been previously introduced at a regular meeting of the Representative Council and that copies have been distributed to each member of the Association at least two calendar weeks in advance of the election.

## **By-Laws**

### **Article I – Meetings**

- Section 1: Between September 1 and June 30 of each school year, there shall be a least one general meeting of the Association. The President, with the advice of the Executive Committee, shall determine the times and places of this meeting.
- Section 2: Special meetings may be held at the call of the President or upon the written petition of fifteen or more members.
- Section 3: The Executive Committee and the Representative Council shall meet monthly on dates determined by the Executive Committee at their first meeting in September.
- Section 4: A quorum for the Representative Council shall consist of the majority of the members of the Representative Council.
- Section 5: A quorum for all committee meetings shall consist of a majority of members of that meeting.
- Section 6: The members present shall constitute a quorum for the General Membership meetings.
- Section 7: The order of business at any Representative Council or regular General Membership meeting shall be as follows:
- A. Call to Order
  - B. Approval of Minutes
  - C. Correspondence
  - D. Reports of the Treasurer
  - E. Reports of Standing Committees
  - F. Reports of Special Committees
  - G. Old Business
  - H. New Business
  - I. Adjournment

### **Article II – Attendance**

- Section 1: Any member of the Executive Committee or Representative Council is expected to attend official meetings as called for by the calendar as set by the Vineland Education Association.

### **Article III – Duties of Officers**

- Section 1: The President shall:

- A. Preside at all meetings of the Association, Representative Council, and Executive Committee.
- B. Sign all orders drawn upon the treasury.
- C. Call Meetings
- D. Suggest policies
- E. Be an ex-officio member of all committees except the nominating committee
- F. Be responsible for the progress and work of the Association in accordance with the constitution, bylaws, and policies
- G. Represent the Association at the NEA Convention and the CCCEA Executive Committee
- H. Shall be responsible for appointed standing committees and other special committees determined to be necessary, with approval of the Executive Committee.

Section 2: The Vice-President shall:

- A. Perform all duties belonging to the President in his/her absence, including signing of all checks.
- B. Be an ex-officio member of all committees and see that they function properly.
- C. Serve as Professional Rights and Responsibilities (Grievance) chairperson.

Section 3: The Recording Secretary shall:

- A. Keep a permanent record of all meetings of the Association, the Representative Council, and the Executive Committee.
- B. Maintain a current list of the membership of the Association, along with the Membership Chairperson.
- C. Prepare the Representative Council minutes for distribution to the representatives and chairpersons. These shall be received at least seven days prior to the next council meeting. The Secretary may cast a ballot if an office is uncontested in favor of the candidate nominated for an elected office.

Section 4: The Treasurer shall:

- A. Deposit all monies in a bank, in the name of the Association
- B. Notify NJEA of name of bank in which Association dues are deposited
- C. Hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President or, in the absence of the President, the Vice-President.
- D. Write and sign all checks along with the President or, in the absence of the President, the Vice-President. (In the event that the Treasurer is not available, the President and Vice-President may co-sign checks.)
- E. Prepare a treasurer's report for each meeting of the Executive Committee, Representative Council and General Membership.
- F. Prepare an annual financial statement which shall be available to all members
- G. Pay out funds on orders from the President with approval of the Executive Committee.
- H. Keep an itemized account of all receipts and expenditures
- I. Make a written report of all receipts and expenditures at all General, Executive Committee, and Representative Council meetings
- J. Be chairperson of the Budget Committee
- K. See that an accountant is engaged to conduct the audit and prepare the financial statement
- L. Oversee the filing of the appropriate Federal and State forms.

Section 5: The officers of the Association shall be empowered to carry on the business of the Association during the summer months.

Section 6: Officer Manager

- A. The Office Manager must be an employee of the Association.
- B. Under the supervision of the officers, he/she shall assist in the performance of clerical duties to facilitate the functioning of the Association office.

- C. Attend Budget Committee meeting to provide information.
- D. Carry on all correspondence pertaining to the affairs of the President
- E. Prepare the agenda for the Representative Council to be sent to the Representatives with the minutes. The designee may be assigned this duty.
- F. Collect the mail from the post office
- G. Be responsible for the research and records relating to the business of the organization.

**Article IV – Duties of Representatives**

Section 1: Duties

- A. The Senior Association Representative shall:
  - 1. Attend meetings
  - 2. Conduct building meetings as needed
  - 3. Keep members in his/her administrative area well informed
  - 4. See that vacancies among Representatives are filled
  - 5. Inform new teachers and other prospective members about our local, county, state, and national associations
  - 6. Be responsible for enforcing the negotiated agreement, and
  - 7. Be the contact person for all communications.
- B. Other Association Representatives shall:
  - 1. Attend Representative Council meetings
  - 2. Assist the senior representative
  - 3. Be responsible for enforcing the negotiated agreement

**Article V – Duties of Committee Chairpersons**

Section 1: The committee chairperson shall:

- A. Hold meetings as often as necessary in order to attain the general goals and specific objectives of the committee.
- B. Present all reports in writing to the Executive Committee, and orally to the Representative Council as needed.
- C. Attend meetings of the Executive committee and Representative Council when a report is to be given and/or business is to be transacted. A

report in writing is to be submitted to the Recording Secretary to be placed in the Association file.

#### **Article VI – Power of the Executive Committee**

- A. Be responsible for the management of the Association
- B. Carry out policies established by the Representative Council
- C. Cause to be reported to the members its transactions and those of the Council
- D. Establish such special committees as may be necessary
- E. Suggest policies for consideration by the Council
- F. Prepare and send the agenda to all faculty representatives and officers and committee chairpersons
- G. Approve all expenditures within the approved budget.
- H. In the event of fiscal concerns and a need for unexpected budgetary constraints, emergency action may be taken by the Executive Committee and Representative Council to curtail spending, even if funds have been budgeted in a certain area. This may be accomplished by a resolution passed by the Executive Committee and the Representative Council. Approval must be by a two-thirds majority of each body.

Section 2: The Executive Committee shall represent the Association in negotiating any policies of mutual concern with the governing and appropriate bodies of the school system. The Executive Committee may delegate its power to other committees or representatives.

#### **Article VII – Power of the Representative Council**

Section 1: The Representative Council Shall:

- A. Approve all expenditures not budgeted
- B. Approve resolutions and other policy statements
- C. Adopt rules governing the conduct of the Association
- D. Adopt rules governing the conduct of the meetings as are consistent with this constitution and bylaws

- E. Be the final judge of the qualification and election of officers, faculty representatives, NEA delegates and CCCEA delegates
- F. Approve the creation of any new paid position
- G. Set the dues for the Association

Section 2: Powers not delegated to the Executive Committee, the officers or other groups in the Association shall be vested in the Representative Council.

### **Article VIII – Committees**

Section 1: Standing Committees

The following standing committees and/or chairperson(s) shall be appointed by the President of the Association with the approval of the Executive Committee. The chairperson shall be selected by the members of the committee, unless specified differently in Constitution or Bylaws.

- A. Legislative/Political Action
- B. Public Relations
- C. Membership
- D. Professional Rights and Responsibilities (Grievance)
- E. Instructional and Professional Development
- F. Social
- G. Property and Personnel
- H. Negotiations
- I. Elections Committee

Section 2: Committee Duties

- A. The Legislative Committee shall keep the membership informed of all legislative matters on the state and national levels and to carry out the recommendations of the NJEA and NEA as to proposed legislation.
- B. The Public Relations Committee shall maintain an effective public relations program for the Association. The webmaster shall be a member

of the Public Relations Committee. Determination of the content of what is placed on the Web shall be made by the Public Relations Committee with the approval of the Executive Committee.

- C. The Membership Committee shall consist of a representative from each supervisory area and shall be responsible for conducting membership drives and orientation of new members.
- D. The Professional Rights and Responsibilities Committee shall see that the contract is adhered to by all teachers, secretaries and the Board of Education. This shall be done by filing and pursuing grievances to insure contract effectiveness. The committee shall have the responsibility to periodically review the constitution to ascertain that its elements are being followed. They shall also have the responsibility of interpreting its contents when necessary.
- E. The Instructional and Professional Development Committee shall be the catalytic group in stimulating other members to grow in professional attitudes, understandings and action. The IPD Committee shall work to improve the quality service of members and contribute to advancing standards and performance in the profession at local, county, state, and national levels. It will submit recommendations to the Instructional Council of the Vineland Public School District.
- F. The Political Action Committee shall serve as a liaison with NJEA -PAC.
- G. The Social Committee shall be in charge of the social events of the Association, including the retirement dinner.
- H. The Property and Personnel Committee shall be responsible for all purchases and the hiring of employees for the Association.
- I. Any member of the Association is eligible to serve on the Negotiations Committee. Members interested in serving must notify the Executive Committee in writing within ten school days after notification that the Committee is being selected. From those selected, there shall be a minimum of one member representing each of the following groups: elementary, middle school, high school, preschool and secretaries, provided that someone is willing to serve. All issues raised for negotiations by any of the aforementioned groups shall be fully investigated and considered. The duration of the term of the Negotiations Committee will continue until the commencement of negotiations of the subsequent contract. Any negotiations issues which arise subsequent to contract ratification shall be dealt with by the Negotiations Committee. The membership shall be informed in writing of any sidebar agreements.

- J. The Election Committee shall consist of five members, representing all areas of the Association, appointed by the President of the Association, with the approval of the Executive Committee.

Section 3: Special Committees may be appointed by the President of the Association, with approval of the Executive Committee, as deemed necessary. These shall include, but not be limited to, Audit, Budget, Welfare, Constitutional Review, and Election Committees.

### **Article IX Election of Officers**

Section 1: Election

- A. The officers are as follows:

1. President, NEA Delegate, CCCEA Delegate
2. Vice-President
3. Recording Secretary
4. Treasurer

- B. All prospective candidates shall submit a letter of interest to the Elections Committee chairperson by March 31<sup>st</sup>.

Section 2: Requirements of Officers

- A. Candidates for the office of President must be under tenure.
- B. Candidates for the office of Vice-President must be under tenure, by the first day of the succeeding school year of their election.
- C. Candidates for the offices of Recording Secretary and Treasurer may be non-tenured.

Section 3: The Elections Committee shall be appointed by the Executive Committee and approved by the Representative Council during the month of November. No candidate may serve on the Elections Committee. The Committee's duties will consist of:

- A. Establishing rules and policies for all election procedures with the approval of the Representative Council
- B. Overseeing all elections

- C. Reporting all nominations to the Representative Council at the April Meeting
- D. Publishing to the members brief information on each candidate
- E. Providing for a uniform secret ballot for all elections.
- F. Report election results to the Membership, in a format determined by the Elections Committee.

Section 4: A final election shall be held by May 31<sup>st</sup> in which members shall vote for officers by secret ballot, in accordance with procedures developed by the Committee on Election and approved by the Representative Council.

Section 5: The term of office for officers shall commence September 1<sup>st</sup> and terminating August 31<sup>st</sup>. Should a vacancy in the office of Recording Secretary or Treasurer occur, it shall be filled by the President with the approval of the Representative Council. Filling an unexpired term shall not be considered a term of office. The President and Treasurer shall be elected for terms of two years in each even numbered year. The Vice-President and Recording Secretary shall be elected for a term of two years in each odd numbered year. Subsequently, an annual election will be held for officers where terms are due to expire. Officers will be elected for two year terms.

Section 6: Should a vacancy occur before an officer has completed less than one half of his/her term, a special election shall be conducted for the purpose of filling the vacancy. The procedures for this special election shall be established by the Elections Committee from the previous election. If the officer has served more than half his/her term, the remaining members of the Executive Committee shall choose one of their members to serve the remainder of the term.

Section 7: A. Elections of New Representative Council Persons and their alternates shall be conducted by the Senior Faculty Representatives of each supervisory area by secret ballot and shall be completed by May 31. The new representatives shall have a term of office commencing September 1st and terminating August 31st, irrespective of reapportionment. Subsequent to the reapportionment of members conducted in November, additional Representative Council members will be elected by the same method to serve until August 31st of that school year.

B. In the event that an elected member changes his supervisory area or leaves the district, it shall be the duty of the other faculty representative from the supervisory area to hold an election at its earliest convenience for a new representative who shall serve for the unexpired term of office.

- C. Executive Committee members shall be elected by the Representative Council during the month of June.

Section 8: If an office is uncontested, the Recording Secretary shall cast a ballot for the nominated candidate.

### **Article X – Elections of Delegates to the NEA Conventions and CCCEA**

Section 1: Delegates to the NEA Convention and CCCEA shall be nominated by the Elections Committee. These names shall be reported to the Executive Committee in accordance with NEA and CCCEA regulations.

Section 2: Any Association member who wishes to be nominated must submit their intent, in writing, to the Executive Committee by February 15<sup>th</sup>. If any seats are contested, an election shall be held by March 15<sup>th</sup>.

Section 3: Delegates to the NEA Convention and the CCCEA shall be:

- A. The President of the V.E.A., or his/her designee.
- B. Members of the Association elected according to the number of seats allocated by the NEA and the CCCEA.

Section 4: NEA Representative Assembly  
Election of local NEA Representative assembly delegates shall be in accordance with NJEA rules on file at the Vineland Education Association office. Copy will be sent upon written request.

### **Article XI – Neglect of Duty**

Section 1: Written charges of neglect of duty against any officers, or the organization itself, may be brought to the Executive Committee and filed with the secretary by any member of the Association.

- A. If the charges are valid: the Executive Committee shall appoint a committee of five members in good standing to investigate the facts concerning the case and to hold hearings on the charges and present their findings and recommendations to the Representative Council.
- B. The Committee shall send the accused party a written notice to appear before it at least seventy-two hours in advance of the hearing date. It shall also furnish the accused party with a copy of all charges. If the accused does not show just cause why he/she cannot attend this hearing, the Committee shall hold the hearing as scheduled.

- C. When the Committee's report is read to the Representative Council, the accused party shall be permitted to make a statement. The Committee shall be allowed to reply.
- D. After a fair time for discussion has elapsed, the accused party shall retire from the room and the Representative Council shall vote by secret ballot on the recommendations of the Committee. A two-thirds majority of the active voting members is needed to carry out any recommendations.
- E. The accused shall have the right to counsel, if so desired.
- F. If any disciplinary action is taken, the accused shall have the right to appeal the Representative Council's decision to his/her constituents and/or the Executive Committee. If the appeal is based on new facts, there will be another hearing at the earliest date.
- G. In order to remove an officer from his duties, a vote of two-thirds majority of the members of the Association is needed.

Section 2: Written charges of neglect of duty against any representative or committee chairperson shall be brought to the Executive Committee and filed with the secretary.

- A. If the charges are valid, the Executive Committee shall have the power to censure, suspend or expel any representative or chairperson for failure to perform the duties prescribed by the Constitution and Bylaws.
- B. The Committee shall send the accused party a written notice to appear before it at least seventy-two hours in advance of the hearing date. It shall also furnish the accused party with a copy of all the charges.
- C. If the accused does not show just cause why he/she cannot attend this hearing the Committee shall hold the hearing as scheduled.
- D. Any action taken by the Committee must be approved by two-thirds majority of those voting.
- E. The Committee shall have the power to reinstate any suspended or expelled member.
- F. Any disciplinary action taken by the Executive Committee may be appealed to the Representative Council within fifteen school days of the decision and filed with the Secretary.

Section 3: If the recommendations are not adopted by a two-thirds majority of those voting, all charges and records thereto shall be deleted from all Association records.

Section 4: The purpose of this article is to insure good leadership and representation of the Vineland Education Association. The following areas which might fall under the category of Neglect of Duty are:

- A. Failure to call at least one meeting a month.
- B. Failure to perform the duties prescribed by the Constitution and Bylaws.
- C. Failure to attend meetings.
- D. Any action which might be deemed detrimental to the Vineland Education Association.

Section 5: All hearings shall be held informally and confidentially so that an equitable resolution can be found to the problem as quickly as possible.

#### **Article XII – Fiscal Year**

The Fiscal year of the Association shall begin September 1<sup>st</sup> and end August 31<sup>st</sup>.

#### **Article XIII – Ratification of Agreements**

Section 1: Robert’s Rules of Order Revised shall be authority on parliamentary procedures on all matters not covered by the Constitution and Bylaws of the Association.

#### **Article XIV – Amendments**

Amendments to the Bylaws may be made by a two-thirds majority of the members of the Association voting in a regular or special election called for this purpose, provided that each amendment has been previously introduced at a regular meeting of the Representative Council and that copies have been distributed to the members of each supervisory area of the Association at least two calendar weeks in advance of the election.

Revised 1976

Revised 1992

Revised 2004

Revised 2013