

**CONSTITUTION AND BY-LAWS
PASSAIC COUNTY
EDUCATION ASSOCIATIONS, INC.
Revised May 27, 2010**

ARTICLE I – NAME

- Section 1: The name of the Association shall be the Passaic County Education Associations, Incorporated, hereafter referred to as the Association.
- Section 2: The Association shall be incorporated as a nonprofit corporation under Title 15A:2-8 New Jersey Domestic Nonprofit Corporation Act.
- Section 3: The Association shall apply for tax exempt status under Internal Revenue Code 501 c(5) and govern itself in a manner that will not jeopardize its tax exempt status. The Association may apply to NJEA to be included in a group exempt letter.

ARTICLE II – PURPOSES

- A. To extend an opportunity for representatives of various education groups to confer on problems affecting public education in Passaic County.
- B. To advise assist and promote local associations in Passaic County.
- C. To increase public interest in education.
- D. To stimulate professional growth.
- E. To develop and promote programs affecting the welfare of individuals and groups engaged in education.
- F. To facilitate the dissemination of information to local associations from national, state, county, and local associations.

ARTICLE III – MEMBERSHIP

Section 1 – Active Professional Members

Any person who is regularly employed in a professional education capacity in a public school, college, university, institution, or agency in Passaic County operating under the laws of the State of New Jersey and who, if in a position which requires a certificate, or if not in a position which requires such a certificate, holds an earned bachelor's degree, shall be eligible for active professional membership in this Association provided said person is a member, where eligible, of the appropriate local association, the New Jersey Education Association, and the National Education Association.

Section 2 – Educational Support Personnel

Any person employed in other than a professional education capacity in a public school, college, university, institution, or agency in Passaic County operating under the laws of the State of New Jersey shall be eligible for active supportive membership in this Association provided said person is a member, where eligible, of the appropriate local association, the New Jersey Education Association, and the National Education Association.

Section 3- Retired Members

Any person who has retired from active professional membership or educational support personnel membership and is a member in good standing of the PCREA shall be eligible for retired membership in this Association. Retired members shall enjoy all the privileges of the Association except those of voting and holding office other than as a retired member elected to the Executive Board by the Passaic County Retired Educators Association.

Section 4– Honorary Members

Persons who have rendered notable service to education may be elected by a vote of three–fourths (3/4) of the Representative Council, provided that nominations for such honorary memberships shall have been approved by a three–fourths (3/4) vote of all the members of the Executive Board. Honorary members shall enjoy all the privileges of the Association except those of voting and holding office and shall be exempt from the payment of dues.

Section 5 – Qualification

Any person joining the Association shall agree to subscribe to its purposes as stated in Article II and to abide by the provisions of the Constitution, By–Laws, and the Professional Code of Ethics.

Section 6 – Rights of Membership

- A. Every active 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 of the business of such meetings.
- 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 at a full and fair hearing.

Section 7 – Member in Good Standing

No person shall be a member, shall vote or be entitled to any right or privilege of membership unless that person's dues for the current fiscal year are paid and transmitted by the state or local affiliate as appropriate to the County Association (fiscal year shall be September 1 to August 31). Any person authorizing complete payment of dues as part of an approved deferred payment or payroll deduction plan shall be considered a paid–up member.

Section 8 – Dues

- A. The annual dues of the Association shall be recommended by the Executive Board and approved by the Representative Council at the annual spring meeting.
- B. County dues shall be transmitted to the County Association by N.J.E.A. or, where appropriate, the affiliated local, within ten (10) days of receipt.

ARTICLE IV – OFFICERS

Section 1 – Officers

The officers of this Association shall consist of a President, a 1st Vice President, a 2nd Vice President, a Secretary, and a Treasurer. All officers shall be elected for the terms of two years. The President and 1st Vice President shall be elected in the even numbered years. The 2nd Vice President, the Secretary, and the Treasurer shall be elected in the odd numbered years.

Section 2 – Duration of Office

The Officers shall assume the duties of their offices on September 1st of the year in which they are elected, and shall hold office until August 31st of the year their term expires. In the case of the 2nd Vice President–elect, that individual shall be included as a participant in any summer candidate screenings so as to be prepared to assume full responsibilities of his/her duties. To effect a smooth transition, newly elected officers will work in conjunction with the outgoing officers and will receive a June stipend.

Section 3 – Recall Process

Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their offices. Where an Officer is guilty of misconduct, such Officer may be removed for cause (shown after notice and hearing) and by a majority vote of the members of the Association.

- A. Recommendation for recall can be made by submission of a petition containing the signatures of 10% of the membership to the Executive Board.
- B. The Executive Board shall notify in writing any Officer who has been recommended for recall.
- C. Any Officer may appeal in writing to the Executive Board.
- D. The Executive Board shall schedule hearings, whenever necessary, to review the recommendation of recall of an Officer.
- E. The report of those hearings shall be made available to the membership.
- F. A general membership meeting shall be called two weeks after the issuance of the report.
- G. Such recall shall be determined by a majority vote of the membership in attendance at said meeting.

ARTICLE V – EXECUTIVE BOARD

Section 1 – Voting Members

- A. Officers of the Association.
- B. N.J.E.A. Executive Committee member.
- C. N.J.E.A. Delegate Assembly members from Passaic County or their designated Delegate Assembly alternates.
- D. Twelve (12) Elected Members–at–Large.
 - 1. No more than two (2) from any local.
 - 2. Eight (8) Active–Professional; two (2) Educational Support Personnel; two (2) Retired.
 - 3. Term of office is two (2) years.
 - 4. Term of office will commence on September 1st.

Section 2- Recall Process for Voting Members

Voting members of the Executive board with the exception of the Officers, shall serve their terms so long as they satisfactorily perform the duties of their office.

- A. In the event a member of the Executive Board misses two Executive Committee meetings per year without just cause, they shall be notified in writing of their obligation to attend such meetings.
- B. In the event a member of the Executive Board then misses a third meeting without just cause, the President shall recommend to the Executive Board that the position be declared vacant. Two weeks prior to the meeting at which said vote is scheduled to be taken the President shall cause the identified Executive Committee member to be notified in writing of the action to be presented by the Executive Committee. Said notification will be made by both regular and certified mail. The identified Executive Committee member shall be given an opportunity to be heard at this meeting prior to any vote being taken. A two thirds majority vote of the Executive Board shall be required to have the position officially declared vacated. Vacancies will be filled according to article IX Vacancy and Absence of the Bylaws.
- C. In the event a member of the Executive Board is guilty of violating the Code of Ethics of the NEA such member may be removed for cause. A two third majority vote of the Executive Board shall be required to have the position officially vacated. Vacancies will be filled according to article IX Vacancy and Absence of the Bylaws.

Section 3– Nonvoting Members

- A. Local President or designee.
- B. N.J.E.A. Delegate Assembly Alternates from Passaic County.

- C. Committee Chairpersons.
- D. N.J.E.A.–N.E.A. UniServ Representatives.

ARTICLE VI – REPRESENTATIVE COUNCIL

- A. Each affiliated unified local shall be entitled to one (1) representative for each fifty (50) members of the Passaic County Education Associations, Inc., provided, however that each affiliated local shall have at least one (1) voting representative. (Each affiliated unified local with Seventy Five (75) members or less shall be permitted to send two representatives to the Representative Council Meeting. However voting representation will be based on (1) vote per fifty (50) members or major fraction thereof).
- B. The elected President of each affiliated local association shall be the primary representative of that local association on the county representative council. Other representatives to which any local association is entitled are selected by the local association from the members of the local association. When a designated representative is unable to attend Representative Council meetings, the local association president shall appoint a proxy from among the local association members. (Names of local representatives shall be submitted to the Passaic County Education Associations Secretary by the first Representative Council meeting each year.)
- C. In addition to the representatives of local associations, the following are also members of the Representative Council:
 - 1. Voting Members
 - a. Officers of the Association.
 - b. Executive Board Members–at–Large.
 - c. N.J.E.A. Executive Committee member.
 - d. N.J.E.A. Delegate Assembly members from Passaic County or their designated Delegate Assembly Alternates.
 - 2. Nonvoting Members
 - a. N.J.E.A.–N.E.A. UniServ Representatives.
 - b. N.J.E.A. Delegate Assembly Alternates from Passaic County.
 - c. County Association Committee Chairpersons.
 - d. Members from Passaic County on statewide N.J.E.A. committees.

ARTICLE VII – AFFILIATION

The Passaic County Education Associations, Inc. shall affiliate with the New Jersey Education Association under its rules and the National Education Association under its rules.

ARTICLE VIII – EXECUTIVE SECRETARY

An Executive Secretary may be employed by the Executive Board on a yearly basis.

ARTICLE IX – ELECTIONS

Section 1

The Officers and Executive Board Members–at–Large shall be elected by the active membership. Retired member(s) to the Executive Board will be elected by PCREA according to their rules. All nominees for contested elected offices shall be elected by secret ballot of the total active membership.

Section 2

The Nominating Committee shall be selected according to a formula established by the N.J.E.A. State Election Committee Rules for County Elections. The Nominating Committee shall submit its list of names of nominees for Officers and Executive Board Members–at–Large by the date of the N.J.E.A. deadline for County Nominating Committee nominations. Independent nominations may be made by petition. Petitions for nomination for the offices of County President, Vice Presidents, Secretary, Treasurer, or Executive Board Members–at–Large shall contain the signature of at least five percent (5%) of the total active membership of the P.C.E.A. or the signature of at least seventy–five (75) such members, whichever is less, with at least five such signatures from each of at least five local affiliates in the county. All nominees shall also hold membership as required in Article III.

Section 3

The Association shall guarantee to work towards the principle of one-person / one-vote, ethnic minority and educational support staff representation on governing bodies at least proportionate to its membership.

Section 4

Elections for contested NJEA positions i.e. Executive Committee, Delegate Assembly and Delegate Assembly Alternates shall be conducted following NJEA guidelines.

Section 5

Elections for contested PCEA positions shall be conducted following NJEA guidelines.

Section 6

Elections for NEA positions shall be conducted following NEA guidelines.

ARTICLE X – ASSOCIATION RECORDS

The records and accounts of the Association and of its Officers and Committees shall be kept in books provided by the Association which shall be the property of the Association and open to the inspection of any active member. Every officer, member, or the employee of the Association having funds, papers, books, records or property of any description belonging to the Association shall give up the same on demand to the next successor in office or the person authorized by the Representative Council or the Executive Board to receive same.

ARTICLE XI – AMENDMENTS

The Representative Council may adopt amendments to this Constitution by a three-fourths (3/4) majority of those voting at any meeting, providing that said amendments have been introduced and approved by majority vote at the preceding meeting of the Representative Council. Copies of such proposed amendments must be distributed to members of the Representative Council at least twenty (20) days prior to the adoption meeting.

**BY-LAWS
PASSAIC COUNTY
EDUCATION ASSOCIATIONS, INC.**

ARTICLE I – MEETINGS

Section 1 – Executive Board

- A. Regular meetings of the Executive Board shall be held not less than six (6) times during an academic year.
- B. Special meetings of the Executive Board shall be held at the call of the President or upon written petition from one-third (1/3) of the voting members of the Executive Board.

Section 2 – Representative Council

The Representative Council shall meet not less than four (4) times during the year. Meeting dates shall be determined by the Executive Board.

Section 3 – Committee

Committee meetings shall be held at the call of the Committee Chairperson.

ARTICLE II – QUORUM

Section 1 – Executive Board

A majority of all voting members of the Executive Board shall constitute a quorum.

Section 2 – Representative Council

Seventy-five (75) of all voting members of the Representative Council shall constitute a quorum.

Section 3 – Committee Meetings

A quorum shall be determined by each committee.

ARTICLE III – POWERS AND RESPONSIBILITIES OF OFFICERS

Section (1) - Officers

During the school year, all officers are expected to be present in the PCEA office for a minimum of five (5) hours per week and/or attend union activities or events. When their respective schools are in session, officers shall coordinate office hours with the president for the purpose of having an officer available to the membership. Summer hours of service will also be scheduled with the president. In addition to the duties of their office, the president shall equitably assign other duties as needed among all officers of the Association.

Section (2) – President

The President shall prepare an agenda and preside over meetings of the Executive Board and Representative Council, appoint all committee chairpersons with the advice and consent of the Executive Board, be ex-officio member of all committees, shall counter sign all checks with the Treasurer or other so designated officer, and be the Executive Officer of the Council and shall be bonded. The President shall also represent the Council before the public either personally or through designees and shall perform all other functions usually attributed to this office.

Section (3) – 1st Vice President

The 1st Vice President, in the absence of the President, shall perform all of the duties and assume all of the privileges of the President. The 1st Vice President will assist the President in guiding and directing the activities of the Association. The 1st Vice President shall also be in charge of communications and public relations within the county.

Section (4) – 2nd Vice President

The 2nd Vice President, in the absence of the President and 1st Vice President, shall perform all of the duties and assume all of the privileges of the President. The 2nd Vice President shall assist the President in guiding and directing the activities of the Association. The 2nd Vice President shall chair the Government Relations Committee and act as liaison to all political action activities throughout the county.

Section (5) – Secretary

The Secretary shall call the roll and keep accurate minutes of all meetings of the Executive Board and Representative Council. The Secretary shall keep all books and records of the Association except those designated to the Treasurer.

Section (6) – Treasurer

The Treasurer shall hold the funds and disburse them upon authorization by the Executive Board. The Treasurer shall keep accurate accounts of receipts and disbursements, shall report to each meeting of the Executive Board and Representative Council, shall prepare an annual financial statement for publication to the Representatives, shall keep the President and Executive Board informed of the financial condition of the Association, shall serve on the Budget Committee, and shall be bonded. The Treasurer shall be responsible for collection of all dues, shall deposit all monies in a bank in the name of the Association, shall notify N.J.E.A. of the name of the bank in which Association dues are deposited, and shall counter sign all checks along with the President. The Treasurer shall use a voucher system for all expenditures.

ARTICLE IV – POWERS OF THE EXECUTIVE BOARD

The Executive Board shall be responsible for management of the Association. It shall approve all expenditures, carry out policies established by the Representative Council, report its transactions and those of the Council to the members, and suggest policies for consideration by the Representative Council.

ARTICLE V – POWERS OF THE REPRESENTATIVE COUNCIL

The Representative Council shall be the policy body of this Association. It shall serve as a forum for the presentation of local association and other educational needs, and, in conjunction with the N.J.E.A. and N.E.A., it shall provide programs to meet those needs. The Representative Council shall also:

- A. Adopt an annual program.
- B. Approve the budget, set annual dues, and recommend expenditure of funds as necessary.
- C. Act on reports and recommendations of the Executive Board and committees.
- D. Issue policy statements.
- E. Approve resolutions.
- F. Adopt rules for conducting council meetings.
- G. Suspend or recall any county Officer for cause. The vote to suspend must be three-fourths (3/4) majority of the voting members at a regular meeting of the Council. A date will be set for a hearing before the Ethics Committee. The vote to remove said Officer must be a three-fourths (3/4) majority of the voting members at the next regular meeting of the Representative Council.
- H. Exercise those powers, not delegated to the Executive Board Officers, or other groups of the Passaic County Education Associations.

ARTICLE VI – STANDING COMMITTEES

The standing committees listed below shall seek to understand and relate to the objectives and programs of corresponding units of local, state, and national associations and shall perform the specific functions described below.

- A. Membership – The Membership Committee shall organize and conduct unified campaigns for membership in local, state, and national associations.
- B. Professional Rights and Responsibilities – This committee shall consist of at least five (5) members. It shall have the power to investigate the legal status of the affiliated local or individual members who are in contest with regard to their rights and responsibilities as educators and shall recommend to the Executive Board appropriate financial assistance.
- C. Government Relations – This committee shall promote support for local, state, and national legislation for the advancement of education. The 2nd Vice President shall chair this committee.
- D. Public Relations – This committee shall handle communications and publicity and shall seek to develop both public and membership understanding and support of the purpose and the programs of the Association. The 1st Vice President shall chair this committee.
- E. Social Affairs – This committee shall organize and conduct such social activities as may serve the needs of members and promote fellowship within the Association among members and among participating locals.

- F. Program – This committee shall plan and conduct programs for participating locals as may serve the needs of members, locals, and the Association.
- G. Budget – This committee shall consist of the President, the Treasurer, and at least three (3) other members. With the advice of the Executive Board, it shall propose an Association budget to the Representative Council for action [by] at the annual spring meeting.
- H. Professional Ethics – This committee shall consist of not less than five (5) members. It shall have the power to investigate, hold hearings, and make recommendations to the Representative Council for appropriate action in cases of unethical conduct.
- I. Human Relations – This committee shall study and make recommendations on how educators and their professional associations can contribute to equal opportunities and improved human relations.
- J. Instructional and Professional Development – This committee shall disseminate appropriate information regarding instructional and professional development issues as they relate to members' interests at local, state, and national levels. It shall also sponsor an annual I.P.D. workshop/conference.

ARTICLE VII – SPECIAL COMMITTEES

Each year the President shall appoint such special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to the rules of the Representative Council.

ARTICLE VIII – AUTHORITY

Robert's Rules of Order shall be the parliamentary authority for this Association on all questions not covered by the Constitution and By-Laws and such standing rules as the Representative Council may adopt.

ARTICLE IX – VACANCY AND ABSENCE

- A. The County President shall fill, until the following annual election period, all County Officer and Executive Board Member-at-Large vacancies with the advice and consent of the Executive Board.
- B. In case of a vacancy in the Office of President, the 1st Vice President shall assume the Office of the President at once and call for an immediate special meeting of the Executive Board to confirm this position.
- C. In case of a vacancy in the Office of the President and 1st Vice President, the 2nd Vice President shall assume the Office of the President at once and call for an immediate special meeting of the Executive Board to confirm this position.
- D. In the absence of the President, 1st Vice President, and the 2nd Vice President, the Secretary shall call the meeting to order and preside until a President protem is elected.

ARTICLE X – AMENDMENTS

The Representative Council may adopt amendments to these By-Laws by a two thirds (2/3) majority of those voting at any meeting, providing that said amendments have been introduced and approved by majority vote at the preceding meeting of the Representative Council. Copies of such proposed amendments must be distributed to members of the Representative Council at least twenty (20) days prior to the adoption meeting.