

Passaic County Technical & Vocational Education Association

Constitution

ARTICLE I: NAME AND INCORPORATION

Section 1: The name of this organization shall be Passaic County Technical and Vocational 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

The Association shall be an affiliate of the Passaic County Education Association, the New Jersey Education Association and the National Education Association.

ARTICLE III: PURPOSES

Section 1: To work for the welfare of students, the advancement of education, and the improvement of instructional opportunities for all.

Section 2: To promote and develop personnel policies such as ethical practices and professional standards of preparation and participation.

Section 3: To advance professional rights and status, to unify and strengthen the teaching profession, to secure and maintain the salaries, retirement, tenure, professional and sick leave days and all other working conditions deemed necessary to support teaching as a profession.

Section 4: To represent its members and other employees in negotiations, grievances, all matters of compensation and all other terms and conditions of employment.

Section 5: To unify and strengthen the membership by enabling members to speak with a common voice on matters pertaining to the teaching profession, to present their individual and common interest before the membership body, and the executive board, or the Board of Education or other legal authorities.

Section 6: To form a representative body to speak with authority for the members, to retain property and funds to appoint or employ a staff for these purposes.

Section 7: To establish cooperation among the members, administrators, supervisors, and the community.

ARTICLE IV: MEMBERSHIP

Section 1:
Active Members

- a. Active membership in the Association shall be open to any person employed in the Passaic County Technical and Vocational High School District who holds an appropriate teaching certificate issued by the New Jersey Board of Examiners (State Board of Education).
- b. Active membership is not accepted if a person holds or belongs to the administrative or supervisory employees of the Passaic County Technical and Vocational High School or any other public school district.
- c. Active members shall also be members of the Passaic County Educational Association, the New Jersey Education Association and the National Education Association.

Section 2:
Associate Members.

Any person employed in other than a professional educational capacity in the Passaic County Technical and Vocational High School and employed by this school in a full-time position may become associate members of this Association. They shall have the right to receive services of the Association only as the Executive Committee (i.e. Board) shall determine, but may not vote or hold appointed or elected office.

Section 3:
Retired Members

Active members upon retirement may continue to enjoy all rights and services of active members except the right to vote and the right be elected to office, by payment of the annual dues as a retired member.

Section 4:
Honorary Members

A majority of the members present at a meeting may confer honorary memberships on 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
5:Qualifications

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:Expulsion
and
Reinstatement
of Members

- a. The Executive Committee shall have the power to recommend to the membership body censure, suspension, or expulsion of a member for a just cause.
- b. The Executive Committee must notify said member of its intention to censure, suspend, or expel.
- c. No member shall be fined, suspended, expelled or otherwise disciplined except for non-payment of dues without being served with specific written charges and given a reasonable time to prepare a defense which may be asserted at a full and fair hearing.

ARTICLE IV: MEMBERSHIP continued

Section
7:Member in
Good
standing

No person shall be a member, nor shall they vote or be entitled to any rights or privileges of membership unless dues for the current school year are paid by October 1. Any member authorizing the payroll deduction plan shall be considered a paid-up member. A deferred payment plan or monthly pay plan must be submitted to the elected Treasurer.

Section
8: Dues

The annual dues of the Association shall be recommended by the Executive Committee and approved by the Representative Council.

Section
9: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 meetings, to participate in the deliberations and voting upon such business conducted at these meetings.
- b. Every member shall have the right to meet and assemble fully with other members, to express any views, arguments at meetings upon candidates in an election of the Association or upon any business property brought before the meeting.
- c. The Association shall represent all members without hostile discrimination. Each member shall be represented fairly, fully, and impartially and in good faith.

- d. The Association shall not arbitrarily ignore a meritorious grievance or process it in a perfunctory fashion.
- e. The Association shall conduct all business in an open manner except where individual's right of privacy may be impinged upon. Association members shall have full access to Association records provided that at least one elected officer is present and the member gives adequate notice

ARTICLE V: Governance

The affairs of the Association shall be administered by an Executive Committee and a Representative Council in accordance with the powers and duties given them in the By-Laws of the Association.

ARTICLE VI: Executive Committee

Section 1: Officers of the Association The officers of the Association shall consist of a President, Two Vice-Presidents (one Vice-President for the Regular Program and one Vice-President for the STEM Program), Treasurer, and Secretary.

Section 2: Election and Term of Officers The officers shall be elected at a March general meeting and be installed on April 1st for a term of three years. Upon resignation or failure to complete the term of office a special election must be held within 30 days to fill the vacant office until the next regular election. To provide for a transition, all outgoing Officers shall continue in an advisory capacity until the close of the school year.

Section 3: Removal from office Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their office. Where an officer is guilty of misconduct, such officer may be removed for cause according to the following procedures:

- a. Recommendation for recall can be made by the submission of a petition containing the signatures of 10% of the membership to the Executive Committee.
- b. Within 3 days the Executive Committee shall notify in writing any officer who has been recommended for recall.
- c. The Executive Committee shall schedule hearings to review the recommendations of recall of an officer. These hearings must be completed within 2 weeks of notifying the officer.

- d. The report of those hearings shall be made available to the membership within one week of the completion of the hearings.
- e. A general membership meeting shall be called one week after the issuance of the report.
- f. Such recall shall be determined by a majority vote of the membership in attendance at said meeting.

Section 4: Succeeding Terms of Office Nothing in this Article shall be construed as precluding officer from succeeding themselves in office, if duly elected.

Section 5: Vacancies In the event of a vacancy in any office, the Executive Committee shall appoint an acting officer to serve until an election can be held. This special election must take place within one month; or, if the vacancy occurs during a summer vacation, the election must be held in September.

ARTICLE VI: Executive Committee continued

Section 6: Stipends

- a. The officers of the Association shall receive a stipend for the performance of their duties. The amount of the stipend shall be established by the Representative Council prior to the election of officers. The amount of the stipend shall remain in effect for the entire term of office and may not be changed unless directed to by the membership at a special membership meeting held in accordance with Article 1, Section 3 of the Association By-Laws. The amount of the stipends shall be determined no later than January 31st and the membership informed of the stipend amounts during the nomination process.
- b. The stipends shall be subject to all federal, state, and social security withholding regulations.

Section 7: Tenure Requirements All Executive Board members must have tenure of position before they can be elected to office.

ARTICLE VII: REPRESENTATIVE COUNCIL

- a. The policy forming body of the Association shall be the Representative Council
- b. The Representative Council shall consist of the Executive Committee and the duly elected representatives from the following areas:

Academic – Regular Program
Shop – Regular Program
Academic – STEM Program
Shop – STEM Program
Non-Classroom – Regular Program
Non-Classroom – STEM Program

- c. The term of office shall be one year from April 1 to the following March 31. Each area will be entitled to one [1] representative for every twenty [20] members or major fraction thereof. Each program listed above is entitled to at least one representative.
- d. The Association shall strive to achieve ethnic minority representation on its Representative Council at least proportionate to its active minority membership.
- e. The Association shall strive to achieve non-classroom teachers representation on its Representative Council proportionate to its active non-classroom teacher membership.
- f. Any member of the Association who is not a member of the representative Council may attend the meetings, and shall sit apart from its voting body, but may receive permission to speak.
- g. To provide for adequate off-campus representation the Association will try to promote at least one elected Representative from each off-campus area.
- h. Members of the Representative Council shall receive a stipend for the performance of their duties. The amount of the stipend shall be determined by the Representative Council prior to January 31st and shall take effect with the election of a new Representative Council in April. The amount of the stipend will be announced to the membership during the nomination process. This stipend shall be subject to federal, state, and social security withholding regulations.

ARTICLE VIII: ELECTIONS

Section 1: Election Committee

- a. The President, subject to the approval of the Executive committee, shall appoint an Election Committee which will accept the names of one or more candidates for President, Vice-President, Secretary, and Treasurer. Nominations for the Representative Council shall be accepted from each area.
- b. No officer of the Association or member of the Executive Committee shall serve on the Nominating Committee

- c. The Election Committee shall be responsible for overseeing the nomination and election process.

Section 2: Nominations

- a. Thirty days prior to the election meeting the Election Committee shall solicit nominations from the general membership for offices up for re-election.
- b. Nominations shall be closed fifteen days prior to the election meeting. Candidates may not be nominated from the floor.
- c. All nominations shall be presented to the general membership ten days prior to the election meeting.

Section 3: Elections

- a. March shall be the general election meeting and members shall vote by secret ballot in accordance with the following procedures:
 - 1. Ballots shall be color-coded by area.
 - 2. All ballots shall list the nominees to positions on the Executive Committee, if the positions are up for election.
 - 3. Each area ballot shall list the nominees for Representative Council only for that area. Association members shall elect representative(s) for each area by voting only for their respective areas.
 - 4. Absentee ballots shall be made available to all members who are unable to attend the election meeting.

[a] Absentee ballots for each area can be obtained from the Election Committee. No absentee ballots available after 3PM on the afternoon of the meeting.

[b] All absentee ballots shall be placed in an envelope and sealed. The envelope containing the ballot shall then be placed into a second envelope and sealed. Every member completing an absentee ballot shall sign across the flap of the second, outer envelope, Outer envelopes not containing a signature shall be declared invalid.

- b. The Election Committee shall report the results to the President who will either publish the names or present them to the membership at a meeting. New officers shall be installed in April following the election.
- c. Results of the elections shall be reported immediately to NJEA, NEA, and the County Association by a member of the Election Committee or the President.

ARTICLE IX: AMENDMENTS

Amendments to this constitution may be made by a two-thirds majority of the active members in attendance at a regular or special meeting called for this purpose. The following procedure will be followed:

- a. The Amendments have been submitted in writing to the Secretary of the Association.
- b. Within one week of amendments being submitted, the Secretary of the Association will distribute copies of the proposed amendments to the members of the Representative Council.
- c. The Representative Council, by majority vote, will propose to recommend said amendments to the general membership within two weeks of their distribution.
- d. The Secretary of the Association will distribute copies of the proposed amendments to all active members of the Association at least two weeks in advance of the elections, but not more than one month after the Representative Council votes to recommend the amendments.

Passaic County Technical and Vocational Education Association

BY-LAWS

ARTICLE I: MEETINGS

Section 1: Executive Committee The Executive Committee shall meet at least twice a month, or at the call of the President, or at the request of the Executive committee.

Section 2: Association Meetings. Association meetings shall be held at least five times a year or five times within the 180 day school year.

Section 3: Special Meetings Special meetings of the General Membership may be called at any time other than two times a year by the President, or upon written request of the Executive Committee, or by one quarter [1/4] of the membership for a specific purpose. But special meetings will be convened only for the purpose called and no other business will be transacted.

Section 4: Meeting Notice At least one week or five [5] school days prior to each general membership meeting the Secretary shall notify all members of the time and place of said meeting.

- Section 5: Order of Business**
- a. Call to order
 - b. Approval of minutes
 - c. Correspondence
 - d. Report of the Treasurer
 - e. Reports of Standing Committee
 - f. Reports of Special Committees
 - g. Old Business
 - h. New Business
 - i. Adjournment

ARTICLE II: QUORUM

Section 1: Executive Committee Meetings A majority of the elected officers shall constitute a quorum for the Executive Committee meetings.

Section 2: General Membership Meetings The members present shall constitute a quorum for the General Membership meetings.

Section 3: Motions General motions will carry by a majority of those present at any General or Special Membership meeting.

Section 4: Amendments and Special Resolutions Amendments or Special Resolutions will need a two-thirds [2/3] vote of those present.

Section 5: Rules Parliamentary procedures will cover all meetings. Any questions not covered in the constitution or by-laws will be governed by Roberts Rules of Order or as decided by the majority of members present at any General or Special Meeting.

ARTICLE III: POWERS AND DUTIES OF THE OFFICERS

Section 1: **The President shall:**

- a. Preside over all meetings of the Executive Committee and general or special membership meetings and be bonded.
- b. Appoint with the approval of the Executive Committee, the chairperson, and members of all standing committees and

special committees not otherwise provided for in the Constitution and By-Laws.

- c. Be ex-officio a member of all committees
- d. With the Treasurer, sign all orders drawn upon the treasury for which a voucher has been submitted.
- e. Represent the Association before the public either personally in attendance or through a designated representative.
- f. Perform all other functions usually attributed to the office.

Section 2: The Vice-Presidents shall:

- a. In the absence of the president, assume all duties of the president.
- b. Be an ex-officio member of the Negotiations and Grievance Committees.
- c. Work closely with the President and with one or more standing committees as the President may suggest.
- d. Report, whenever necessary, to the Executive Committee, the conditions in his/her area.

Section 3: The Secretary shall:

- a. Be responsible for handling all correspondence for the Association.
- b. Notify the appropriate members as to the time and place of the Executive Committee and General or Special membership meetings at least seven [7] calendar days prior to the meeting.
- c. Distribute copies of all proposed amendments as prescribed in the Constitution and By-Laws.
- d. Shall keep accurate minutes of all of the Executive Committee and General or Special Membership meetings.
- e. Maintain the official files.
- g. Distribute minutes to all members within ten days following the Executive and General or Special Membership meetings.

ARTICLE III: POWERS AND DUTIES OF THE OFFICERS continued

Section 4: The Treasurer shall:

- a. Be responsible for collecting and recording all dues.
- b. Deposit all monies in a bank, in the name of the Association.
- c. Notify NJEA of the name of the bank in which Association dues are deposited.
- d. Hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President.
- e. Sign all checks along with the President.

- f. Give a report at each meeting of the Executive Committee and General Membership meetings.
- g. Prepare an annual financial statement which shall be distributed to all members.
- h. File the appropriate Federal and State Forms.
- i. Transmit appropriate NJEA-NEA dues money to NJEA no later than ten [10] days after its receipt by the Association from the Board of Education Business Office, or arrange for direct payroll deductions under the NJEA collection process.
- j. Assist the Executive Committee in the preparation of the Association budget.
- k. Be bonded for such amounts as may be determined by the Executive Committee from time to time.
- l. Withhold federal, state, and social security taxes from the stipends given to members of the Executive Committee and Representative Council and transfer these funds to the appropriate government agencies in a timely fashion so as to avoid any additional charges.
- m. Have the financial records of the Association audited by an independent certified public accountant in accordance with current IRS/NJEA guidelines and file the audited report with NJEA by November 1st of each year

ARTICLE. IV: POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

The Executive Committee shall:

- a. Be responsible for the management and operation of the Association.
- b. Authorize all expenditures within the limits of the budget.
- c. Authorize by a 3/5 vote the spending of money for non-budgeted items not to exceed \$500 for any single item. Non-budgeted disbursements in excess of \$500 must have the approval of the membership.
- d. Give a report at General Membership meetings.
- e. The elected officers shall be the only voting members of the Executive Committee.
- f. Prepare the Association budget.

ARTICLE V: POWERS AND DUTIES OF THE REPRESENTATIVE COUNCIL

**Section
1:Powers
and Duties**

The Representative council shall:

- a. Approve the budget.
- b. Set the dues for the Association.
- c. Act on reports of committees.
- d. Establish the policies of the Association.
- e. Adopt rules for governing the conduct of meetings as are consistent with this Constitution and By-Laws.
- f. Be the final judge of qualifications and elections of officers, executive committee members and faculty representatives.
- g. Representatives shall report all issues and or concerns expressed to them by the general membership to the Representative Council at the meetings.

**Section
2: Non-Specific Powers**

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

ARTICLE VI: COMMITTEES

**Section
1: Appointment**

The president, with the approval of the Executive Committee, shall appoint the chairperson and members of the standing committees in April and fill un-expired terms as vacancies occur.

**Section
2: Meetings**

Each standing committee shall meet according to a calendar developed by each committee or as set forth by the President and the executive Committee.

**Section
3: Reports**

Each committee shall select a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Executive Committee and compile an annual written report for the Association files.

**Section
4: Committee Titles and Duties**

The **Bargaining Council** shall survey the members and prepare a proposed package to be negotiated with the Board of Education by the Association's negotiating team in all areas of the member's welfare and general working conditions.

- a.
- 1.

Negotiating Team

- a. The Negotiations team shall be selected from the bargaining council. If there are not enough members of the bargaining council who are willing to be members of the negotiating team, the President, with the approval of the Executive Committee, shall appoint additional members as necessary.
- b. The Negotiations team has the authority to make proposals and counter proposals at the negotiations

table. The Negotiations team has the authority to reach a tentative agreement with the Board of Education.

Contract Ratification Process

2.
 - a. The Negotiations team must unanimously approve the tentative contract.
 - b. Once approved, the package will be presented to the Representative Council where a simple majority is necessary for approval. If the Representative Council fails to approve the tentative agreement, the team shall return to the bargaining table to continue negotiating with the Board of Education.
 - c. Having followed all the above steps, the package is then presented to the general membership where a simple majority of the actual votes cast is necessary for passage.

ARTICLE VI: COMMITTEES continued

- b. The **Grievance Committee** shall explore and prepare programs for securing satisfactory policies and procedures for redress of grievances. It shall process all grievances filed in accordance with the agreement and policies adopted by the Association. It shall advise the Executive Committee in situations involving the defense of individual rights. This committee shall consist of at least five members and shall recommend any appropriate actions to the Executive Committee.
- c. The **Membership Committee** shall organize and conduct unified campaigns for membership in local, County, State and National Associations.
- d. The **Legislation Committee** shall promote support for local, state and national legislation for the advancement of education and any legislation to support teachers' rights as set forth by the NJEA and NEA bodies.
- e. The **Social Committee** shall organize and conduct such social activities as may serve the needs of members and promote fellowship within the Association and among participating locals in other districts and schools.
- f. The **Communications Committee** shall be responsible to keep the general membership informed of Association action through

fliers and newsletters. It shall develop a telephone call system for the membership in case of a crisis situation. At least one of its members shall be at the disposal of the Negotiating Team. All communications shall be reviewed by the Association President.

Section
5:Special
Committees

The President shall appoint, with the approval of the Executive Committee, any such special committee as deemed necessary to assist in the Association's welfare. Upon completion of the given special committee assignment, it shall disband. Any special committee shall operate according to the rules approved by the Executive Committee

Section
6:Funding

Committees in need of funds shall submit a written request to the Executive Committee, who will determine if funds are to be provided and the amount of those funds.

ARTICLE VII: ELECTIONS

Section 1: **Election Committee**

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- c. Results of the elections shall be reported immediately to NJEA, NEA, and the County Association by a member of the Election Committee or the President.

ARTICLE VIII: FISCAL YEAR

The fiscal year of the Association shall begin September 1 and end August 31.

ARTICLE IX: ASSOCIATION RECORDS

Section 1:Ownership and Inspection

The records and accounts of the Association and of its officers and committees shall be kept in books provided by the Association and be the property of the Association open to inspection by any active member as long as at least one elected officer is present.

Section 2:Surrender to Successor

Every officer, member or employee, of the Association having funds, papers, books, records, or property of any description belonging to the Association shall surrender

them to the next successor in office or the person authorized by the Executive Committee to receive them.

Section 3: Annual Audit

An annual audit of the Association's financial records shall be conducted by the Audit Committee in September or whenever deemed necessary by the Executive Committee.

Section 4: Constitution/By-Laws

Every four years, or sooner if deemed necessary, the President shall appoint members to serve on a Constitution/By-Laws committee to review and update the documents as necessary. The Committee's work shall be reviewed by the Representative Council, and, should a membership vote be necessary, be approved by the General Membership in accordance with Article IX of the Constitution.

ARTICLE X: AMENDMENTS

Amendments to the By-Laws shall follow the same procedures outlined in Article VII of the Constitution.