

THE PALMYRA EDUCATION ASSOCIATION CONSTITUTION

ARTICLE I - NAME

Section 1: The name of this Association shall be The Palmyra Education Association hereinafter referred to as the Association.

Section 2: The Association shall be incorporated as a non-profit 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 exemption letter.

NOTE: "Tax exempt status" only applies to income tax and covers money collected by an association, i.e., dues. NJEA and its affiliate associations are labor organizations, and, as such, CANNOT be sales tax exempt.

ARTICLE II - AFFILIATION

The Association shall be an affiliate of the Burlington County Education Association, New Jersey Education Association (NJEA), and the National Education Association (NEA). The Association shall abide by the New Jersey Education Association's standards for local association affiliation and shall forward a copy of its constitution to NJEA. Affiliation shall not legally carry any liability for damages on the Association or NJEA due to actions taken independently by either.

ARTICLE III - PURPOSES

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

Section 2: To unify all members to enable them to speak with a common voice on all matters of mutual concern and to represent individual and common interests of the Association.

Section 3: To represent its members and other employees in negotiations and grievances with the School District on all matters of compensation and all other terms and conditions of employment. (The Association shall be the recognized bargaining agent for all appropriate school district employees to the full extent of the provisions of Chapter 123, Public Laws of 1974, unless another organization has been officially designated as the bargaining agent.)

Section 4: To promote the general welfare of members, to advance educational standards and to establish and maintain good community relations.

Section 5: To develop and promote continuing programs to secure and maintain better employment benefits, sound retirement systems, and improvements in terms and conditions of employment.

ARTICLE IV - MEMBERSHIP

- Section 1: Membership in the Association shall be open to all faculty, secretaries, teacher assistants and nurses employed in the Palmyra School District.
- Section 2: Membership shall be continuous until the member leaves employment, resigns from the Association, or fails to pay membership dues.
- Section 3: Members of the Association shall also be active members of the Burlington County Association, the New Jersey Education Association, and the National Education.
- Section 4: Honorary membership shall be extended to all retired Association members. All privileges of membership shall be granted to these members except privileges of voting and office holding.
- Section 5: Assessment of the membership may be made to meet emergency expenses as voted upon by the members at a general membership meeting.
- Section 6: Any non-member may be invited to attend a meeting, with prior permission from the president, and may receive permission to speak. Agenda items pertaining to non-members shall be handled first and upon conclusion non-members shall be asked to leave.
- Section 7: 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 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 the meeting.

ARTICLE V – OFFICERS

- Section 1: The officers of this Association shall consist of a president, two (2) vice presidents secretary, and a treasurer.
- Section 2: The officers shall be elected in the spring and installed for a term of two (2) years.
- Section 3: Whenever an officer is no longer employed in the Palmyra District or is incapacitated, the Executive Board shall elect a replacement until the next election period
- Section 4: Officers of the Association shall serve their terms so long as they ethically and satisfactorily perform the duties of their office. Where an officer is guilty of misconduct, such officer may be removed for cause (shown after notice and a hearing) and by a majority vote of the members of the Association.
- a. Recommendation for recall can be made by a submission of petition containing the signatures of 51% percent the membership.

- 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 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.

Section 5: Nothing in this Article shall be construed as precluding officers from succeeding themselves in office, if duly elected.

ARTICLE VI – EXECUTIVE BOARD

Section 1: The Executive Board shall consist of the officers, chairpersons of standing committees, and building representatives.

Article VII- Amendments

Amendments to the Constitution may be proposed by thirty percent (30 percent) of the general membership or by a majority vote of the Executive Board. A two-thirds majority vote of the members attending any regular meeting of the general membership, or a special meeting of the general membership called for this purpose, shall be necessary for the adoption of such amendments provided that notice of the meeting and proposed amendment(s) has been posted in each building at least two (2) weeks prior to the meeting.

BY-LAWS

ARTICLE I – MEETINGS

Section 1: Executive Board

- a. The Executive Board shall meet on a schedule to be determined at the first meeting of the year, at the call of the President, or at the request of any three members of the Board.
- b. Any member may attend with prior notification to the President

Section 2: Meetings

- a. The Executive Board shall arrange at least four (4) meetings of the members each year; one the first day of school, one in December, one in March and the last one before the end of the school year.
- b. Special meetings of the membership may be called by the President, or upon written request of one-tenth of the members for a specific purpose; but no business other than that for which the meeting is called may be transacted.

Section 3: The order of business at any Executive Board or regular General Membership meeting shall be as follows:

- a. Call to Order
- b. Approval of Minutes
- c. Correspondence
- d. Report of Treasurer
- e. Reports of Standing Committees
- f. Reports of Special Committees
- g. Unfinished Business
- h. New Business
- i. Adjournment

ARTICLE II – QUORUM

Section 1: A majority of the Executive Board members shall constitute a quorum for the Executive Board meetings.

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

Article III – Power of Officers and Negotiators

Section 1: President

The President shall preside over meetings of the Executive Board and the General Membership. The President shall appoint, with approval of the Executive Board, the chairperson and members of all committees and shall be the executive officer of the Association. The President shall, along with the Treasurer, sign all checks drawn upon the treasury. The President shall represent the Association before the public either personally or through delegates and shall perform all other functions usually attributed to this office.

Section 2: 1st Vice President

The Vice President shall assume all duties of the President in the President's absence and shall perform all other functions usually attributed to this office. The 1st Vice President shall chair the Grievance Committee.

Section 3: 2nd Vice President

The 2nd Vice-President shall assist the President in scheduling meetings, organizing member workshops, gathering monthly committee reports, and publishing a member newsletter. The 2nd Vice-President shall also assist with correspondence and manage the BOE member attendance schedule.

Section 4: Secretary

The Secretary shall keep accurate minutes of all meetings of the Executive Board and General Membership meetings; shall prepare such minutes for reproduction and distribution within 10 days; shall maintain official files; shall assist the President with Association correspondence; shall notify each building representative of meetings; shall keep an accurate record of all members; and shall perform any other duties relative to the position of secretary. The secretary shall chair the communications committee.

Section 5: Treasurer

The Treasurer shall hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President; shall sign all checks along with the President; shall report at each meeting of the Executive Board and General Membership; and shall keep the President and the Executive Board informed of the financial condition of the Association.

The Treasurer shall prepare an annual financial statement which shall be distributed to all members with a copy forwarded to NJEA; shall file the appropriate Federal and State forms; shall chair the Budget Committee; and shall be bonded under a policy provided by NJEA.

The bank account(s) in which all deposits are made shall be in the name of the Association. Notification of the name of the bank in which dues are deposited shall be sent to NJEA. Any change of the bank in which dues are deposited shall be sent to NJEA within thirty (30) days of the change.

Endorsement of checks shall be limited to endorsements for deposit to the credit of the Association only. No payments in cash (including checks made out to "cash") shall be made from funds of the Association. Association bank accounts shall be reconciled by someone other than the treasurer. The books and accounts of the treasurer shall be examined at least once a year.

NOTE: Associations having a total annual budget of less than \$5,000 may choose to have the annual audit performed by an outside independent person. Associations having a total annual budget of \$5,000 or more must have the annual audit performed by public or certified accountant(s).

Section 6: Negotiators

The negotiation committee shall negotiate a recommended agreement pending ratification by the members of the Association who are members of the bargaining unit. The Chief Negotiator shall chair the Negotiation Committee and the Assistant Negotiators shall serve as members.

ARTICLE IV – POWERS AND DUTIES OF THE EXECUTIVE BOARD

Section 1: The Executive Board shall:

- a. Be responsible for the management of the Association
- b. Authorize all expenditures within the limits of the budget
- c. By a two-thirds vote authorize the spending of money for non-budgeted items not to exceed \$150 in any one case.
- d. Propose policies for consideration by the General Membership
- e. Execute policies established by the General Membership
- f. Establish such special committees as may be necessary
- g. Set the agenda for all General Membership meetings.

Section 2: In the event of vacancy in the office of the President, the Vice President shall become President and serve until the next annual election

Section 3: Whenever the offices of both the President and Vice President shall become vacant between elections, the remaining members of the Executive Board shall choose one of their members to serve as President pro tempore until the General Membership can fill the vacancies by emergency election.

ARTICLE V – ELECTIONS

Section 1: Nominations

The President shall appoint, subject to approval by the Executive Board at its March meeting, an Elections Committee. No officer of the Association shall serve on the Elections Committee. A list of names of candidates shall be prepared by the Board and presented to the General Membership. Candidates may be nominated from the floor at the general election meeting.

Section 2: Balloting

- a. At the General Membership meeting in the spring or in individual buildings, members shall vote for officers by secret ballot.
- b. Members of the Elections Committee shall distribute, collect, and tabulate the votes and present their written report to the chairperson who will announce the results.
- c. New officers shall be installed at the June meeting of the Executive Board.

ARTICLE VI – COMMITTEES

Section 1: Meetings

Each standing committee shall meet according to a calendar developed by the committee.

Section 2: Reports

Each committee shall select a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the President, the Executive Board and the General Membership and shall prepare an annual written report which will become a part of the continuing committee record in the Association files.

Section 3: Committee Titles and Duties

- a. The Negotiation Committee shall survey the members and prepare for the officers and Executive Board a proposed package to be negotiated with the employer by the Association's negotiating team in all areas of member welfare and general working conditions.
- b. The Grievance Committee shall explore and prepare programs for securing satisfactory policies and procedures for the 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 Board in situations involving the defense of individual rights.
- c. The Membership Committee shall organize and conduct membership enrollment and shall communicate with members about programs, services and benefits of the Association.
- d. The Public Relations/Pride Committee shall seek to develop public understanding of the purposes and programs of the Association. It shall be as a beacon of light shining unto the community. It shall develop procedures by which the Association can present information through newspapers, radio, television and other mass media and work cooperatively with the public in civic and social organizations.
- e. 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 stay in close contact with the negotiating team. All communications shall be reviewed by the Association President.
- f. The Social Committee shall organize such social activities as may serve the needs of members and promote team building and member involvement within the Association.
- g. The Legislative Committee shall have broad concern for local, regional, state and national legislation affecting the interests of the Association. It shall inform members about newly proposed and enacted legislation related to their welfare, promote activities leading to the passage of desirable legislation, encourage members to exercise their responsibility for voting and their right to participate in political activity at all levels.

- h. The Budget Committee shall propose to the Executive Board a budget for the Association each year. Members of the Budget Committee shall have full and complete access to all financial and other records of the Association pertinent to the preparation of the annual budget.
- i. The Audit Committee shall prepare the Association's books for audit. No officer shall serve on the Audit committee. A copy of the audit shall become part of the Association's permanent record. A copy shall be sent to NJEA.
- j. The Professional Development Committee shall write, update and facilitate the implementation of the District's Professional Development Plan and Mentor Plan. The committee will also prepare an early report for the State. Elections are to be held in November/December. Per N.J.A.C. 6:11-15, members serve for 2 year terms and can be re-elected up to three times.

Section 5: Special Committees

Each year the President shall appoint other special committees, as may be necessary, and shall disband them upon completion of their duties. These committees shall operate according to rules approved by the Executive Committee.

ARTICLE VII – DUES

Any increase in the rate of dues or levy of general or special assessment must be approved by a vote of general membership after reasonable notice of the intention to vote upon such question by secret ballot.

ARTICLE VIII – FISCAL YEAR

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

ARTICLE IX – PARLIAMENTARY AUTHORITY

The most recent edition of Roberts Rules of Order shall be the parliamentary authority for the Association on all questions not covered by the Constitution and By-laws and such standing rules as the Executive Committee may adopt.

ARTICLE X – NON-COMPLIANCE AND DISSOLUTION

The Association shall adhere to those NJEA policies wherein non-compliance would constitute a danger to the welfare of the members of the Association or to NJEA. The NJEA Delegate Assembly shall determine what constitutes a danger to NJEA. NJEA may, at the request of the NJEA Executive Board and 10 percent of the members of the Association, conduct an evaluation of the Association under guidelines established by the NJEA Delegate Assembly.

In the event of dissolution, all properties and assets, and assets of this corporation remaining, after paying or providing for all debts and obligations, shall be distributed and paid over to such fund or corporation organized and operated as a labor union as the Board of Trustees shall determine, and as shall, at the time, qualify as a tax exempt organization under Section 501 (c) (5) of the Internal Revenue Code, or as the same may be amended.

ARTICLE XI-SALARIES

Section 1: Officers

The President shall receive \$1,500 per year.

The two Vice Presidents shall receive \$750 each per year.

The Secretary shall receive \$750 per year.

The Treasurer shall receive \$850 per year.

Officer salaries total \$4,600 per year.

Section 2: Negotiators

- a. In a year that the contract is being negotiated:

Chief Negotiator: \$1,500

Assistant Negotiators (up to 6): \$600 each

Total Negotiators' salaries: \$5,100

Payable half in December and half in June

- b. In a year during a negotiated contract:

Chief Negotiator: \$300

Total Negotiators' salaries: \$300

Payable in June

Section 3: Building Representatives: \$100 each

Section 4: Membership Chairperson: \$100

Section 5: Professional Development committee members: \$250 each

Section 6: All officers and building representatives' salaries are payable in June.

Constitution Updates Ratified:

- **April 16, 2008**
- **December 14, 2011**

ARTICLE XII – AMENDMENTS

These Bylaws may be amended by a majority of those voting at any regular meeting of the general membership provided that each amendment has been introduced at the preceding meeting of the Executive Board and that copies have been distributed at least two calendar weeks in advance of the meeting.

Amendment I – Approved October 3, 1990

The immediate past president of the Association shall be a member of the Executive Board.

Amendment II – Approved October 3, 1990

All members participating in any Association functions must personally pay for and then request in writing reimbursement for each event after he/she has participated in said event.

Amendment III – Approved March 21, 1996

It is recommended that a set of expense be allocated for purposes of meal reimbursements, per person, for PEA members, and approved by the President in advance. A receipt is required for reimbursement.

Breakfast	\$5.00
Lunch	\$10.00
Dinner	\$15.00