

BYLAWS

ARTICLE I – MEETINGS

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Section 1: Executive Board

The Executive Board shall meet once a month while school is in session at the call of the President, or at the written request of any three (3) members of the Executive Board.

Section 2: The Representative Council

The Representative Council shall meet once a month while school is in session. The Executive Board shall prepare the agenda for each meeting and shall circulate it to all members of the Representative Council sufficiently in advance, so that the ARs shall have time to discuss it with active members of the Association prior to the Representative Council meeting.

Special meetings of the Representative Council may be held at the call of the President, or upon written request to the Executive Board from fifteen (15) active members of the Association representing three (3) buildings. Business to come before special meetings must be stated in the call to meeting, which shall be sent in writing to each Association Representative.

Section 3: General Membership

The Executive Board shall arrange one (1) meeting of the active members of the Association each year, to be held on the first day of the school year.

At least one (1) week prior to each non-emergency General Membership meeting, the Secretary shall notify all active members of the Association of the time and place of said meeting, other than the September opening day meeting.

Special meetings may be called by the President, or upon written request of one quarter of the active members of the Association representing three (3) buildings. The purpose of said meeting shall be stated with the request. Written notice of the meeting shall be distributed to each active member of the Association not less than seven (7) calendar days prior to said meeting. No business other than that for which the meeting is called may be transacted.

Section 4: The order of business at any regular General Membership meeting shall be as follows:

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

ARTICLE II – QUORUM

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

Section 2: A majority of the Representative Council voting members shall constitute a quorum for the Representative Council.

Section 3: Fifteen (15) percent of the active members of the Association shall constitute a quorum for the General Membership meetings provided three (3) or more buildings are represented.

ARTICLE III – ATTENDANCE

At the June Executive Board meeting, the President shall present for adoption the calendar of regular Executive Board/Representative Council meetings for the upcoming year. All members of the Executive Board/Representative Council shall attend all meetings unless they receive prior excuse from the President. Written notice in the form of an email to the President or Recording Secretary prior to the meeting shall serve as an excused absence. After two (2) unexcused absences by any elected or appointed individual, the Executive Board may declare the position unfilled and fill the vacancy as prescribed by this document.

ARTICLE IV – POWERS AND DUTIES OF THE OFFICERS AND OTHER ELECTED OFFICIALS

Section 1: President – The President shall:

- preside over the meetings of the Executive Board, Representative Council and General Membership,
- appoint the chairperson and members of all Standing and Special Committees, not otherwise provided for in the Constitution and Bylaws,
- fill by appointment, vacancies in elected positions per ARTICLE V, Section 3 of the Bylaws,
- be Ex-Officio member of all committees,
- with the Treasurer, sign all orders drawn upon the treasury for which a voucher has been submitted,
- represent the Association before the public either personally or through a designated representative,
- represent the Association at OCCEA, NJEA, and NEA conferences, either personally or through a designated representative,
- attend the NEA Representative Assembly,
- perform all other functions usually attributed to the office,
- participate in NJEA/Uniserv training.

Section 2: First Vice President – The First Vice President shall:

- become President whenever the presidency becomes vacant as provided for in ARTICLE V, Section 5 of the Constitution.
- attend Executive Board and Representative Council meetings,
- be an Ex-Officio member of designated committees. The designated committee charges of the First Vice President shall be:
 1. Negotiations Committee
 2. Grievance/Response Committee
 3. Budget Committee
 4. Audit Committee
 5. Special Education Committee
 6. Nominations/Elections Committee
- represent the Association at OCCEA, NJEA, and NEA conferences as needed,
- attend the NEA Representative Assembly,
- participate in NJEA/Uniserv training.

Section 3: Second Vice President – The Second Vice President shall:

- attend Executive Board and Representative Council meetings,
- be an Ex-Officio member of designated committees. The designated committee charges of the Second Vice President shall be:
 1. Membership Committee
 2. Communications/PR Committee
 3. Legislative Committee
 4. Philanthropic Committee
 5. Social Committee
 6. Professional Development Committee
- represent the Association at OCCEA, NJEA, and NEA conferences as needed,
- participate in NJEA/Uniserve training.

Section 4: Corresponding Secretary – The Corresponding Secretary shall:

- be responsible for handling all correspondence for the Association as directed by the President and Executive Board,
- notify the appropriate members as to the time and place of the Executive Board and General Membership meetings, other than the annual September opening day meeting, not less than seven (7) calendar days prior to the meeting,

- attend Executive Board and Representative Council meetings,
- prepare and distribute a summary of action following each Executive Board meeting,
- maintain a calendar of OCCEA, NJEA, and NEA workshop and conference opportunities and distribute registration information to active members of the Association as directed by the President,
- meet all registration deadlines,
- organize local workshops and conferences for the active members of the Association,
- develop and maintain telephone call system and e-mail directory of active members of the Association in case of a crisis situation,
- participate in NJEA/Uniserve training.

Section 5: Recording Secretary – The Recording Secretary shall:

- keep accurate minutes of all the Executive Board and General Membership meetings,
- type, distribute and file minutes,
- maintain the official files, including but not limited to, terms of office for elected officials and election results,
- distribute copies of all proposed Amendments to the Constitution and Bylaws as prescribed in ARTICLE IX of the Constitution and ARTICLE XIV of the Bylaws,
- collect and file Board of Education agendas, minutes, policies and procedures,
- maintain and update the Association’s copy of the Board of Education Policy Book,
- attend Executive Board and Representative Council meetings,
- participate in NJEA/Uniserve training.

Section 6: Treasurer – The Treasurer shall:

- deposit all monies in a bank in the name of the Association,
- notify NJEA of the name of the bank in which Association dues are deposited,
- hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President,
- sign all checks along with the President,
- maintain accurate financial records,

- report at each meeting of the Executive Board, Representative Council and General Membership,
- present the annual budget to all active members of the Association at the September opening day meeting,
- share the annual financial statement, prepared by an independent auditor, with the Executive Board,
- submit Association financial records to an independent auditor for review. The name of said auditor shall be reported to NJEA and the Executive Board,
- oversee the preparation of Federal, State, and NJEA forms by an independent auditor,
- serve on the Budget Committee,
- be bonded for such amount as may be determined by the Executive Board from time to time,
- organize all necessary records for preparation of LAFAP reports to be presented to an independent auditor for preparation for NJEA,
- attend Executive Board and Representative Council meetings,
- [participate in NJEA/Uniserve training.](#)

Section 7: Association Representatives (ARs) - The ARs shall:

- select, from among themselves, the Senior Representative in each building,
- act as liaison between individual buildings and the Executive Board,
- act as liaison between staff and building administrators,
- disseminate all MTEA, OCCEA, NJEA and NEA information to active members of the Association within their building,
- represent active members of the Association in all circumstances that could affect the terms and conditions of employment,
- preside over monthly building meetings,
- [attend Representative Council meetings,](#)
- [participate in NJEA/Uniserve training.](#)

[The Senior AR in each building shall attend all Executive Board meetings and serve on the Grievance Committee.](#)

Section 8: The Parliamentarian – The Parliamentarian shall:

- be knowledgeable of the current MTEA Constitution and Bylaws,
- maintain an updated copy of the NJEA Constitution and Bylaws and other relevant governance documents,
- advise the President, Executive Board, and the General Membership as to the Association Constitution and Bylaws and Robert’s Rules of Order,
- attend Executive Board, Representative Council, and General Membership meetings,
- participate in NJEA/Uniserve training.

ARTICLE V – POWERS AND DUTIES OF THE EXECUTIVE BOARD

Section 1: The Executive Board shall:

- be responsible for the management of the Association,
- authorize the spending of non-budgeted items over **three hundred (\$300)** dollars by two-thirds vote,
- propose policies for consideration by the Representative Council and General Membership,
- cause all transactions to be reported to the active members of the Association,
- establish such Special Committees as may be necessary,
- set the agenda for all Representative Council and General Membership meetings,
- review and make decisions regarding all matters of arbitration and mediation.

The Executive Board, or sub-committee thereof, shall sit as an Ethics Committee.

Section 2: In the temporary absence or disability of the President, the **First** Vice President shall preside over the Executive Board, the Representative Council, and General Membership and shall have such powers and perform such other duties as may be assigned by the President.

Section 3: In the event of vacancy in the elected positions of **Second Vice President, Corresponding Secretary, Recording Secretary, Treasurer, Association Representatives or Parliamentarian**; the President, with the advice and consent of the Executive Board, shall appoint an interim representative from the current members of the Executive Board. If the position remains vacant, the President, with the advice and consent of the Executive Board, shall appoint an interim representative from the General Membership. A special election shall be held within ninety (90) days (excluding summer).

ARTICLE VI – POWERS OF THE REPRESENTATIVE COUNCIL

The Representative Council shall:

- approve the budget,
- set dues and present recommendations to the active members of the Association for approval,
- receive committee reports and act upon recommendations as needed,
- approve resolutions and other policy statements,
- adopt procedures for implementing the ethics of the Association, and those to be followed in censuring, suspending and expelling for cause, or reinstating members,
- adopt the rules of conduct of the Association and the conduct of meetings as are consistent with the Constitution and Bylaws,
- validate the eligibility and election of candidates for elective office.

Powers not delegated to the Executive Board, Officers, or other groups within the Association shall be vested in the Representative Council.

ARTICLE VII – COMMITTEES

Section 1: There shall be committees responsible for the specific functions listed below.

Section 2: Appointment

The President, with the advice and consent of the Executive Board, shall appoint the Chairpersons from the active members of the Association at the June Executive Board meeting, and fill all unexpired terms as vacancies occur. Upon the election of a new President, the President Elect, with the advice and consent of the Executive Board, shall assume this duty. The Chairs shall be appointed for a term of one (1) year and may be reappointed for consecutive terms.

Section 3: Meetings

Each committee shall meet as appropriate to its assigned duties.

Section 4: Reports

Each committee shall maintain a continuing record of activities. Chairs shall report at each meeting of the Representative Council.

Section 5: Committee Titles and Duties

a. Standing Committees

The **Grievance /Response Committee** shall explore and prepare the redress of grievances in accordance with the grievance procedure outlined in the current collective bargaining agreement. It shall advise the Executive Board in situations involving the defense of individual rights.

The committee shall review and respond in writing to member evaluations, memos, reprimands, and any other written correspondence from administrative personnel. The response shall be completed within the time specified in the current collective bargaining agreement.

Members of the Grievance Committee shall participate in NJEA/Uniserve training.

The Senior AR from each building shall serve on the Grievance Committee.

The **Membership Committee** shall organize and conduct membership enrollment. Its members shall enroll all employees identified in the recognition clause of the current collective bargaining agreement. The committee shall maintain and verify membership status and keep current all pertinent information as requested by the NJEA. It shall update and distribute information about member benefits and services as provided by the NJEA.

The **Newsletter Editor** shall be appointed by the President, compile information of interest to the membership and publish a newsletter to be distributed to the active members of the Association not less than six (6) times per year. The Newsletter Editor shall submit newsletter for display at the NJEA Convention and any other venue as requested by the President, attend MTEA, OCCEA, and NJEA meetings as requested by the President, attend Executive Board and Representative Council meetings, and participate NJEA/Uniserve training.

The **Communications/PRIDE Committee** shall develop a program of events that promotes good relationships between the Association, the Board of Education, and the Community. The committee shall seek to develop public understanding of the programs and purposes of the Association, develop procedures by which the Association can present information through newspapers, radios, television and other mass media, and shall work cooperatively with the public in civic and social organizations.

All communications shall be reviewed by the President prior to release.

The **Legislative Committee** shall review, evaluate, and communicate legislative information to the active members of the Association. The committee shall 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. The Legislative Committee Chair or designee shall attend OCCEA meetings and legislative conferences.

The **Philanthropic Committee** shall determine the allocation of all monies for scholarships and awards. Said monies shall be collected and deposited by the Treasurer in a separate account. The Treasurer shall act as custodian of the account and report at each Executive Board, Representative Council, and General Membership meeting. The committee shall develop and implement a selection process for deserving students and report to the Executive Board. The selection criteria and process shall be recommended by the committee for the approval of the Executive Board.

The **Local Professional Development Committee** (LPDC) shall consist of four (4) members elected from the General Membership. The LPDC shall assess in-service needs and professional development opportunities. **The LPDC shall supervise and guide the School Professional Development Committee (SPDC).** The LPDC shall gather information to plan, write and implement the District's local professional development plan. The committee shall attend team meetings, as scheduled, in and out of District. The chair of the LPDC shall attend **Representative Council meetings.**

The **Web/Technology Committee** shall be responsible for developing and maintaining the Association web site and the use of technology in conducting Association business.

The Health and Safety Committee shall explore and make recommendations to the Executive Board for the dissemination of information regarding any compromise in the quality of the workplace and consider those conditions which may affect the health and safety of Association members. The committee shall disseminate current health and safety information provided by the NJEA. The chair shall attend NJEA/Uniserve training.

b. Special Committees

The **Budget Committee** shall propose, to the Executive Board for action, a budget for the Association each year. The budget shall be approved by the Executive Board at the August meeting and presented to the General Membership at the September meeting. Members shall have full and complete access to all financial and other records of the Association pertinent to the preparation of the annual budget. The committee shall determine the maximum reimbursement for expenses incurred in the operation of the Association. The Treasurer shall serve on the Budget Committee.

The **Nominations/Elections Committee** shall be responsible for all regular and special elections. The committee shall solicit and accept nominations from active members of the Association for Officers, Association Representatives, candidates and alternate candidates for the NEA Representative Assembly. It shall prepare a slate and conduct elections as prescribed in ARTICLE IX, Section 3 and 4 of the Bylaws. No officer of the Association shall serve on the Nominations/Elections committee.

The **Social Committee** shall organize such social activities as may serve the needs of the General Membership and promote team building and member involvement within the Association.

The **Constitution and Bylaws Committee** shall, at the request of any Association member, examine and develop any constitution and/or bylaws revision that benefits the organization. An amendment to the constitution/bylaws may be introduced upon petition **of fifteen (15) percent or more members of the General Membership from three (3) or more buildings.** The committee shall review the entire constitution/bylaws every three (3) years. The committee shall be responsible for presentation of all proposed changes to the Executive Board, the Representative Council, and the General Membership.

ARTICLE VIII – NEGOTIATIONS, BARGAINING AND RATIFICATION

Section 1: Negotiations Committee Chair

The President, with the advice and consent of the Executive Board, shall appoint the Negotiations Committee Chair from the active members of the Association in June of the first year of the current contract. The term will expire at the completion of the bargaining and ratification of the contract for which he/she has been appointed. The Negotiations Committee Chair shall be known as the Chief Negotiator.

The Chief Negotiator shall complete training before the first meeting of the Negotiations Committee.

The Chief Negotiator shall serve as spokesperson at the bargaining table and shall designate other individuals to speak on behalf of specific issues and/or constituencies when necessary.

The Chief Negotiator shall attend all meetings. Failure to attend all regularly scheduled meetings will result in a review of the situation by the Executive Board.

The Association President shall not serve as Chief Negotiator.

Section 2: Composition of the Negotiations Committee

The Negotiations Committee shall consist of representatives from all units including teachers, secretaries, and paraprofessionals. The Negotiations Committee shall be divided into three (3) sub-committees:

- a. Language
- b. Salary and Healthcare Benefits
- c. Addendum

The Salary and Healthcare sub-committee shall elect two (2) chairs. The Language and Addendum sub-committees shall elect one (1) chair each. The sub-committee chairs shall be elected from within the sub-committees by their members.

The Chief Negotiator, in consultation with the President, may establish additional sub-committees when necessary.

An NJEA Representative and/or Legal Counsel may be authorized to attend committee meetings or negotiation sessions to provide advice. Said representative shall not be considered a member of the committee or bargaining team.

Upon adoption of these bylaws, the Chief Negotiator and Negotiations Committee will remain in place until the appointment of the next Chief Negotiator.

Section 3: Role and Responsibilities of the Negotiations Committee

The Negotiations Committee, through the Association Representatives, shall conduct an NJEA survey of the active members of the Association.

The Negotiations Committee shall frame a proposal to be negotiated by the Bargaining Team with the Board of Education and submit said packet for approval of the Executive Board.

The Negotiations Team will remain intact until the appointment of the next Chief Negotiator to receive information and submit input to the Executive Board when requested.

Section 4: Composition of the Bargaining Team

The Bargaining Team shall consist of:

- a. the Chief Negotiator
- b. the Association President
- c. representatives from each of the sub-committees
- d. any additional individuals necessary to insure the representation of teachers, secretaries, and paraprofessionals

The Bargaining Team shall select a Bargaining Team Secretary from members of the Negotiations Committee whose sole responsibility shall be to record the proceedings and disseminate negotiation information when appropriate.

Section 5: Role and Responsibilities of the Bargaining Team

- a. Bargaining Team members shall complete training before the first meeting of the Bargaining Team.
- b. Bargaining Team members shall attend all meetings. Failure to attend all regularly scheduled meetings will result in a review of the situation by the Executive Board
- c. The Bargaining Team shall keep the Negotiations Committee, Representative Council, Executive Board, and active members of the Association apprised of the developments.
- d. No individual(s) can act for the team.
- e. All members of the Bargaining Team shall sign the “Memorandum of Agreement.”

Section 6: Informational Meeting and Ratification Vote

All contract settlements between the Association and Board of Education shall be placed before the General Membership for a ratification vote, said vote to be conducted by secret ballot in each school building as prescribed in ARTICLE IX, Section 4.

Prior to ratification vote, except in cases of extreme crisis, the President shall schedule two (2) informational meetings to be held outside school hours on the same day for the purpose of discussing the proposed contract settlement. Notification of said meetings shall be made no less than three (3) days to all active members of the Association and be posted in each school building. If agreement is reached between the Association and the Board during the summer while school is not in session, the informational meetings shall be held during the first full week of classes in September.

Voting for the proposed contract settlement shall take place within five (5) days of the informational meetings.

Voting shall be for the entire proposed contract and not parts thereof.

ARTICLE IX – NOMINATIONS, ELECTIONS, and VOTING

Section 1: Nominations/Elections Committee

The President shall appoint a chair for the Nominations/Elections Committee as prescribed in ARTICLE IV, Section 1.

Section 2: Composition of the Nominations/Elections Committee

The Nominations/Elections Committee shall consist of two active members of the Association from each building. No member candidate or individual holding an elected position shall serve on the Nominations/Elections Committee.

Section 3: Nominations/Elections Committee

The Nominations/Elections Committee Chair shall post the positions open for election during the month of February. Active members of the Association may self-nominate or nominate other active members of the Association for elective office. The Nominations/Elections Committee shall prepare a slate of nominees for Officers, Association Representatives, Parliamentarian, Professional Development Committee, candidates and alternate candidates for the NEA Representative Assembly. Except for the NEA Representative Assembly, no member shall hold more than one elective office at a time. The slate shall be presented to the Representative Council at the March meeting where nominations shall be accepted from the floor and closed. The slate shall be posted for consideration by the active members of the Association in each building not less than seven (7) days before the election.

Section 4: Voting

Elections for delegates to the NEA Representative Assembly shall take place in March. The President and the Vice President shall serve as delegates to the NEA Representative Assembly during their terms of office. If either or both of these officers cannot or choose not to serve as local delegates, an election shall be held for any open positions.

Regular elections shall take place in April. All elections, regular and special, shall be conducted by the Nominations/Elections Committee and shall take place in each building. Active members of the Association shall vote by secret ballot in person on said election day, unless provisions have been made for an absentee ballot. Ballots shall be available at the start of the work day. Locked ballot boxes shall be located in a central location in each building. Elections shall be closed at the end of the work day. All locked ballot boxes shall be brought to a central location as determined by the Nominations/Elections committee. Ballots shall be counted by the Nominations/Elections Committee in the presence of the chairperson.

The procedure for obtaining an absentee ballot shall be stated on the slate of candidates posted in each school building. Requests for an absentee ballot must be submitted in writing to the Nominations/Elections Committee at least three (3) days prior to the election. Absentee ballots

must be completed and returned in a sealed envelope to a member of the Nominations/Election Committee **before election day**.

In the event of a tie, the committee shall so declare and conduct a run-off election to break the tie within five (5) school days.

If the position for election is uncontested, the nominee shall be declared the winner by acclamation, per Robert's Rules of Order.

Election results shall be made available to the active members of the Association by the Nominations/Elections committee in the following order:

1. The President
2. The Candidates
3. Posted in each building by the next work day

Ballots shall be retained by the Nominations/Elections Committee Chairperson until it is certain that the results are accepted by the membership. Results shall be reported immediately to OCCEA, NJEA, and NEA by the committee chairperson.

In the event that the Association is at the bargaining table when elections are scheduled, said elections shall be postponed for all elected officers until ratification of the new collective bargaining agreement. Elections shall take place **not less than 45 nor more than 60 days** following said ratification.

ARTICLE X - FISCAL YEAR

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

ARTICLE XI – ASSOCIATION FUNDS

All monies shall be deposited in a bank in the name of the Association. Funds shall be disbursed accordingly upon the submission of a voucher signed by the President. The Treasurer and President shall sign all checks.

All requests for dues increases shall be placed before the active members of the Association for approval. The request shall include written rationale and supporting data for said increase. The request for dues increase shall be provided to all active members of the Association not less than seven (7) days before the vote.

Voting shall take place as prescribed in ARTICLE IX, Section 4.

ARTICLE XII – PROPERTY

Property shall be held in the name of the Association. The Treasurer shall maintain and update the property list annually.

ARTICLE XIII – AUTHORITY

The most recent edition of Robert's Rules of Order shall be the Parliamentary authority for the Association on all questions not covered by the constitution and bylaws and such standing rules the Executive Board may adopt.

ARTICLE XIV - AMENDMENTS

Amendments to the constitution and bylaws may be introduced, upon petition of fifteen (15) percent or more members of the General Membership from three (3) or more buildings, and shall be brought to the Executive Board. The President, with the approval of the Executive Board, shall appoint a Constitution Committee. The Constitution Committee shall review the proposed amendment and make recommendation for action to the Executive Board.

Amendments to these By-laws and Constitution shall be approved by two-thirds of the active members of the Association voting in a regular or special election called for this purpose, provided that the proposed amendment shall have been distributed to the active members of the Association at least two (2) weeks in advance of said election.

Revised September, 2007

Approved by vote by MTEA members December 6, 2007