

CONSTITUTION
&
BY-LAWS
OF THE
EAST BRUNSWICK
EDUCATION ASSOCIATION

Adopted: March 2, 1972

CONSTITUTION OF THE EAST BRUNSWICK EDUCATION ASSOCIATION

ARTICLE I NAME AND INCORPORATION

- Section 1.** The Association shall be known as the EAST BRUNSWICK EDUCATION ASSOCIATION, hereinafter referred to as the Association or as the EBEA.
- Section 2.** This Association is 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.

ARTICLE II AFFILIATION

This Association shall be an affiliate of the Middlesex County Education Association, the New Jersey Education Association and the National Education Association. 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 liability for damages on the Association or NJEA due to actions taken independently by either.

ARTICLE III PURPOSES

This Association is established:

- Section 1.** to promote the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all;
- Section 2.** to develop and promote the adoption of such ethical practices, personnel policies and standards of preparation and participation as mark a profession;
- Section 3.** to advance professional rights, status and responsibilities of its members;
- Section 4.** to represent its members and other employees in negotiations and grievances with the School Board on all matters of compensation and all other terms and conditions of employment;
- Section 5.** to form a representative body to speak with authority for the members;
- Section 6.** to establish communication for the purpose of cooperation between the educator and the community; and
- Section 7.** to hold property and funds, to engage services, and to employ personnel for the attainment of these purposes.

ARTICLE IV MEMBERSHIP

Section 1. Types of Membership:

- A. Active Certificated Members. Any person, ~~other than non-members (representation fee payers)~~;
 - 1. who is regularly employed in a professional education capacity in the East Brunswick School District,
 - 2. who, if in a position which requires a certificate issued by the State Board of Examiners, holds such a certificate, or, if not in a position which requires such certificate, holds an earned bachelor's degree or equivalent, and
 - 3. who is a member of the Middlesex County Education Association, the New Jersey Education Association and the National Education Association,
 - 4. may become an active certificated member of this Association by payment of the annual dues.
- B. Active Supportive Members. Any person, ~~other than non-members (representation fee payers)~~;
 - 1. who is employed in the East Brunswick School District in any position other than one which qualifies that person to become an active certificated member, and
 - 2. who is a member of the Middlesex County Education Association, the New Jersey Education Association, and the National Education Association,
 - 3. may become an active supportive member of this Association by payment of the annual dues.
- C. Honorary membership may be conferred upon members of the teaching profession or other persons for distinguished service to education and the profession. Honorary members shall enjoy all the privileges of the Association except those of voting and holding office and shall be exempt from payment of dues.
- D. Retired members may continue to receive services by payment of an annual fee as a retired member.

Section 2. Rights and Responsibilities of Membership:

- A. Every active member shall have equal rights and privileges within the Association; to vote in elections or on referenda of the Association; to attend membership meetings; to participate in the deliberations and voting upon the business of such meetings, and to hold office.
- 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. 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 and By-laws.

- Section 3.** Expulsion and Reinstatement of Members:
- A. The Representative Council shall have power to censure, suspend or expel any member for cause, after due notice and hearing, and shall have power to reinstate any suspended or expelled member.
 - B. Any member(s) of the EBEA may petition the Representative Council, in writing, to censure, suspend or expel any member for cause or any officer of the EBEA for gross negligence of duties as defined in the by-laws.

ARTICLE V OFFICERS

- Section 1.** The officers of the Association shall consist of a president, a vice-president, a secretary, a treasurer, and a director for active supportive members.
- Section 2.** Whenever a majority of the Representative Council shall agree after due notice and hearing that an officer is no longer employed in the East Brunswick School District, is removed from office, is incapacitated, or resigns, they shall declare the office to be vacant. ~~Within 15 days,~~ The Representative Council shall call for the election of a replacement on a date to be determined, to fill the unexpired term. There shall be a minimum period of at least two (2) weeks for the nomination of candidates and a minimum of two (2) weeks for campaigning.

ARTICLE VI REPRESENTATIVE COUNCIL

- Section 1.** The Representative Council shall consist of elected representatives. Each building shall elect one representative for each 40 members or major fraction thereof plus 1 additional optional voting representative per building. Each building shall have at least one representative. Each representative shall have a designated alternate. Where more than one such representative is elected, one shall be designated as Chief Building Representative.
- Section 2.** The Representative Council shall formulate all policies of the Association. Other policies affecting Association members that have been decided by any means other than formal negotiations are null and void.
- Section 3.** Any member of the Association who is not a member of the Representative Council may attend the meetings and may receive permission to speak.
- Section 4.** Only a representative shall have a vote. If a representative is absent the designated alternate may vote.

ARTICLE VII COMMITTEES

Chairpersons and co-chairpersons of Standing Committees and Special Committees as authorized by the By-laws shall be appointed by the president. The committees are needed in order to provide the necessary services for the maintenance of a strong workable Education Association. If these committees are important and the members want these services, they will have to pay for them with money and by volunteering their time. Members of the EBEA are encouraged, when possible, to give an average of 2 hours per month to Education Association business. One of the ways the time could be spent would be as a member of one of these standing committees. Others can serve on special committees such as Faculty Councils and others as listed in the By-laws.

ARTICLE VIII 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. Every officer, member or 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 to the person authorized by the Representative Council to receive same.

ARTICLE IX AMENDMENTS

- Section 1.** Amendments or a successor Constitution to this Constitution may be made by a two-thirds majority of the active members of the Association voting in a regular or special election called for this purpose, provided that
- A. the amendment(s) has been submitted in writing to the Secretary of the Association, who shall distribute copies of the amendment(s) to the members of the Representative Council,
 - B. the Representative Council, by a majority vote, proposes to recommend said amendment(s) to the general membership and
 - C. the ~~Secretary of the Association~~ **Nominations/Elections Committee** distributes copies of the amendment(s) so proposed to all active members of the Association at least two calendar weeks in advance of the election.
- Section 2.** In the event of ~~statutory changes~~ **a legal** change and/or affiliation standards changes the Representative Council, by two-thirds vote of those present, shall have the power to amend this constitution.

BY-LAWS OF THE EAST BRUNSWICK EDUCATION ASSOCIATION

ARTICLE I MEETINGS

- Section 1.** The Representative Council shall meet monthly during the school year. Special Representative Council meetings may be held at the call of the President or upon written request to the President by 20% of the Association Representatives. Business to come before special meetings shall be limited to items on the agenda, which shall be sent to the Representatives if time permits.
- Section 2.** The President shall arrange for at least one general membership meeting each year for the discussion of professional issues.
- Section 3.** The order of business at any Representative Council meeting shall be as follows:
- a. Call to order
 - b. Approval of minutes
 - c. Treasurer's report
 - d. ~~Standing~~ Committee reports
 - e. ~~Special committee reports~~
 - f. Old business
 - g. New business
 - h. For the good of cause **the order**
 - i. Adjournment

ARTICLE II QUORUM

- Section 1.** A quorum for Representative Council meetings shall consist of a majority of elected representatives, provided at least one-half of the buildings are represented.
- Section 2.** The members present shall constitute a quorum for the General Membership meetings.

ARTICLE III POWERS AND DUTIES OF OFFICERS

- Section 1.** The President shall:
- A. be responsible for the management of the Association;
 - B. preside over all meetings of the Representative Council, and the General Membership meetings;
 - C. have the right to cast a deciding vote to break a tie at a meeting of the Representative Council;
 - D. appoint the chairpersons of all standing committees and special committees;
 - E. be an ex-officio member of all committees;
 - F. with the Treasurer, sign all orders drawn upon the treasury;
 - G. represent the Association before the public either personally or through a designated representative;

- H. present a state of the Association report to the membership at one general membership meeting per year;
- I. propose policies for consideration by the Representative Council;
- J. execute policies established by the Representative Council;
- K. set the agenda for the Representative Council and all General Membership meetings;
- L. establish such special committees as may be necessary;
- M. be responsible for the engagement of services and employment of personnel;
- N. Arrange for representation of the EBEA at the MCEA ~~monthly~~ representative council meetings;
- O. perform such other duties as shall devolve upon that office.

Section 2.

The Vice President shall:

- A. perform all the duties and enjoy all the privileges of the President in his/her absence;
- B. become President whenever the presidency becomes vacant and may serve the remainder of the term;
- C. be an ex-officio member of all committees;
- D. receive oral and/or written reports from all committee chairpersons and coordinators for the purpose of informing and advising the President on their activities;
- E. perform such other duties as shall devolve upon that office.

Section 3.

The Treasurer shall:

- A. collect, have custody of, and disburse all funds of the Association;
- B. sign all checks along with the President;
- C. report at each meeting of the Representative Council;
- D. prepare an annual financial statement which shall be ~~distributed to~~ reviewed with the Representative Council;
- E. file the appropriate Federal and State forms;
- F. transmit dues monies to appropriate affiliated organizations;
- G. prepare the annual budget with the assistance of the Budget Committee and the outgoing Treasurer when applicable;
- H. keep an account of all Association monies received and disbursed;
- I. be bonded for such amount as may be determined by the Representative Council;
- J. take all steps necessary to meet legal auditing requirements;
- K. perform such other duties as shall devolve upon that office.

Section 4.

The secretary shall:

- A. attend the Representative Council meetings;
- B. take minutes at these meetings;
- C. ~~get minutes of the meetings typed and~~ Prepare and update on Representative Council business to be sent to all EBEA members;
- D. maintain the Association's social media presence;
- ~~D~~ E. perform such other duties as shall devolve upon that office.

- Section 5.** The Director of Support Staff shall:
- A. be responsible for communicating the special needs and concerns of Educational Support Professionals;
 - ~~B. be a member of the Professional Rights Committee as spokesperson for Educational Support Professionals;~~
 - B.** be a member of the Educational Support Professionals Council as spokesperson for Educational Support Professionals;
 - ~~D~~ **C.** perform such other duties as shall devolve upon that office.

- Section 6.** Terms of Office
- The Officers shall serve for a term of two years and may be re-elected. The offices of President and Treasurer shall be filled in even numbered years. The offices of Vice President, Secretary and Director of Support Staff shall be filled in odd numbered years.

ARTICLE IV POWERS AND DUTIES OF THE REPRESENTATIVE COUNCIL

- Section 1.** The Representative Council shall:
- A. approve the budget;
 - B. authorize all expenditures over \$1,000 within the limits of the budget;
 - C. by a two-thirds vote of those present authorize the spending of money for non-budgeted items not to exceed \$1000 in any one case. Disbursement in excess of \$1000 must have the approval of a majority of the Representative Council;
 - D. set the dues for the Association;
 - E. act on reports of committees;
 - F. establish the policies of the Association;
 - G. adopt rules for governing the conduct of meetings as are consistent with this Constitution and By-laws;
 - H. be the final judge of qualifications and elections of officers and Association representatives;
 - I. adopt procedures to be followed in censuring, suspending and expelling members for cause and for reinstating members;
 - J. make available a copy of the Constitution and By-laws to any member who requests it;
 - K. perform such other duties as shall devolve upon that office;
 - L. amend the Constitution and By-laws in matters involving statutory legal changes and/or affiliation standards changes.

- Section 2.** Each Chief Building Representative or designee shall:
- A. call meetings of the members he/she represents to discuss Association business;
 - B. appoint such committees as the Association may require or direct;
 - C. ensure the dissemination of information provided by the Association.

- Section 3.** Each member of the Representative Council shall:
- A. serve as a liaison between the specific members he/she represents and the Association;
 - B. be responsible for enrollment of members;
 - C. distribute Association materials;
 - D. disseminate and gather information;
 - E. refer grievances to the appropriate channels;
 - F. work for maximum involvement of members in Association programs;
 - G. have the right to suggest agenda items up to 1 week prior to the Representative Council meeting.

Section 4. Powers not delegated to the officers or committees in the Association shall be vested in the Representative Council, ~~and general membership.~~

Section 5. The members of the Representative Council shall serve terms of one year, and may be re-elected.

ARTICLE V STANDING COMMITTEES

Section 1. Structure

There shall be standing committees carrying the specific functions listed below. They shall have sufficient members, selected to be broadly representative of all members, and be appointed for terms of one year.

Section 2. Appointment

The President shall appoint committee chairpersons and co-chairpersons who, in turn, will gather members for the committees.

Section 3. Meetings

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

Section 4. Reports

Each committee shall ~~select a secretary who shall~~ keep a continuing record of activities. Chairpersons shall report as necessary to the Vice-President and the Representative Council and shall prepare an annual written report which shall become a part of the continuing committee record in the Association files.

Section 5. The duties of the chairperson or co-chairperson would include:

- A. sees that written records of meetings are maintained;
- B. verbally reports to the Representative Council ~~and the Vice President;~~ , if unable to verbally report at the Representative Council Meeting a written report shall be submitted to the President;
- C. establishes the committees to carry out functions;
- D. as the need arises, maintains communication with other committee chairpersons;
- ~~E. establish an operating budget and submits it to the Budget Committee for approval.~~

Section 6. Committee Titles and Duties

A. Councils

1. A building Faculty Council, a District Elementary School Council (ESC), a District Educational Support Professionals Council (ESP), and a District Wide Council (DWC) shall be established;
2. A Chairperson shall preside over each of the Councils;
3. The Chairperson shall maintain the minutes of the meeting and share a summary of the minutes with the appropriate membership;
4. Faculty Councils, ESC, and ESP Chairs shall share their reports with the DWC Chair;
5. The DWC Chairperson shall share their reports with the Chairpersons of each building Faculty Council, Elementary School Council, and Education Support Professionals Council
- 5 6. ESC, ESP and DWC shall share a summary of the meeting with the Representative Council;
- 6 7. Faculty Council reports shall be submitted to the Association office; and
- 7 8. ESC, ESP and DWC shall collect and catalog Faculty Council minutes.

B. Government Relations

1. Keeps members informed of new laws and bills affecting education;
2. Promotes activities involving legislation affecting public education;
3. Shall serve as the EBEA Representative at the MCEA LAT meetings, ~~NJEA County Fall Focus meeting, and NJEA Legislative Action Conference;~~ and NJEA/MCEA government relations events as designated by the President; and
4. Encourages members to exercise their responsibility for voting and their right to participate in political activity at all levels.

C. Member Benefits

1. Is knowledgeable about employee benefit plans such as Pension Plan for staff members, Workers' Compensation, Social Security Benefits, Deferred Annuities, Local Employee Health Plans, Prudential (Educators Insurance Services), State Pension Loans, and Credit Unions;
2. Monitors and records worksite health and safety concerns among the membership;
3. Organizes member benefit activities; and
- 2 4. Dispenses information to members.

D. Membership

1. Maintains accurate and up to date records of Association membership to include school assignment, home address, phone #, social security number, nature of job;
2. Promotes full membership for the local association and affiliates;
3. Holds membership drives;
4. Works closely with EBEA Treasurer and Board of Education's payroll secretary for purposes of dues transmission to appropriate/various affiliated associations;
5. Arranges for an orientation for new members;

6. Submits appropriate reports in a timely fashion—~~for ex. To NJEA and to the Board of Education;~~ and
7. Is familiar with the ~~Agency Fees procedure and the~~ Demand and Return System; and
- ~~8.—Organizes Member Benefit activities.~~

E. Negotiations

1. Maintains a written log (dates, time, comments) on negotiating events;
2. Uses all available services of NJEA;
3. Speaks for the EBEA at negotiation sessions;
4. The Tentative Agreement must be presented to a Bargaining Council for its approval;
5. Presents approved contract to membership for vote; and
6. Informs general membership of negotiations progress.

F. Newsletter

1. Oversees the publication of the EBEA Newsletter; and
2. Acknowledges in appropriate manner: retirements; member/family illnesses; deaths; marriages; births.

G. PRIDE/FAST

1. Acquires material to promote the community's understanding of the goals of public education;
2. Seeks methods through PRIDE/FAST activities to gain favorable publicity for the educational staff;
3. Coordinates the activities of the Association during local school elections;
4. Organizes a group to monitor school board meetings;
5. Facilitates EBEA participation in MCEA PRIDE/FAST activities;
6. Investigates and secures PRIDE/FAST funds from NJEA; and
7. Coordinates the operations of the EBEA Bear Necessities Clothing Den.

H. Professional Rights

1. Knows the contract;
2. Becomes familiar with past grievances in the district;
3. May arrange for workshops to train committee members on learning the contract, how to handle grievances within their buildings, etc;
4. Establishes ways for the membership to understand the contract - ex. write articles for the EBEA Newsletter, etc;
5. Maintains records on all grievances; and
6. Follows grievances to their finalization.

~~I. Public Relations~~

- ~~1. Shall inform the public about important public education issues;~~
- ~~2. Build a sense of community amongst members;~~
- ~~3. Prepare informational pieces for public consumption;~~
- ~~4. Prompt Association activities to the community; and~~
- ~~5. May work with the PTA teacher liaison to discuss ways for teachers and parents to work together in helping the students.~~

J. Social Affairs

1. Organizes social affairs and activities;
2. Organizes at least two social events during the school year;
3. Is responsible for organizing the annual Leadership Reception;
4. Is responsible for organizing the annual District Retirement Celebration; and
5. Monitor invites and attendees of social affairs as pursuant to Article X.

K. Teacher Evaluation Advisory

1. Provides assistance to help members understand the evaluation process;
2. Attends evaluation workshops to keep apprised of current evaluation laws and regulations;
3. Shall serve as on the District Evaluation Advisory Committee;
4. May arrange for workshops to train members on evaluation issues;
5. Provides assistance to members in respond to evaluations; and
6. Monitors evaluation trends and patterns throughout the district.

K. Scholarship

1. Sends out annual and/or quarterly appeals for membership donations;
2. Promotes collections at EBEA social events;
3. Researches ways to collect donations using outside foundations;
4. Acts as a liaison to other EBEA scholarship committees; and
5. Presents the EBEA Philanthropic Scholarship Award at the East Brunswick District Senior Awards Ceremony.

ARTICLE VI SPECIAL COMMITTEES

- Section 1.** Each year the President shall appoint such other special committees as may be necessary, and disband them upon completion of their duties. They shall be activated as the need arises and shall operate under Sections 3 and 4, Article V of the By-laws.
- Section 2.** The Special Committees can be, but are not limited to:
Action Team
Budget Committee
By-law Review Committee
Constitutional Review Committee - to be activated at regular intervals, not to exceed 3 years
Contract Bargaining Council
Contract Proposal Writing Committee
~~Crisis Committee~~
Nominations/Elections Committee
~~Policy Review Committee~~
~~Scholarship Committee~~

ARTICLE VII NOMINATIONS

- Section 1.** The President shall appoint a Nominating Committee in January. It shall have at least six members, selected to be broadly representative of all members. Members seeking election as officers shall not serve on the Nominating Committee.
- Section 2.** To be nominated for office a candidate must express to the Nominating Committee, orally or in writing, his/her desire to run for office by March 1.
- Section 3.** The Nominating Committee shall report the list of candidates to the Representative Council at its March meeting. No candidate may accept a nomination for more than one office. Nothing in the By-laws shall forbid write-in candidates.
- Section 4.** The Nominating Committee will cause to be published candidates' statements of qualifications. Candidates for president must indicate their preference for either a full-time or a part-time presidency.

ARTICLE VIII ELECTIONS

- Section 1.** The President shall appoint an Elections Committee in February. No officer of the Association or candidate for office may serve on this Committee.
- Section 2.** ~~On the third school day~~ **During the first work week** in April, active members of the Association shall vote for officers by official ballot in accordance with procedures developed by the elections Committee. ~~and approved by the Representative Council.~~ **The day for the voting shall be set by the Representative Council during its January meeting.**

Section 3. The Elections Committee shall report the results to the President who shall cause them to be published. New officers shall be recognized at the May meeting of the Representative Council in order that they may take office on July 1. The interim shall be considered an orientation period.

Section 4. Election of the members of the Representative Council shall be from each unit of representation. Units of representation are:

- | | | |
|----------------|-------------------|--|
| 1. Bowne-Munro | 6. Lawrence Brook | 11. High School |
| 2. Central | 7. Memorial | 12. Special Ed. Ctr., Curriculum Ctr Administration |
| 3. Chittick | 8. Warnsdorfer | 13. Administration |
| 4. Frost | 9. Hammarskjöld | Support Operations Facility |
| 5. Irwin | 10. Churchill | 14. Transportation |

Section 5. Results of the election of officers shall be reported to NEA, NJEA, and MCEA.

Section 6. Association representatives shall be elected in May and take their seats at the regular September meeting.

ARTICLE IX RECALL PROVISION

Section 1. Officers and members of the Representative Council shall serve their terms so long as they satisfactorily perform the duties of their office. Where such an individual is guilty of misconduct he/she may be removed for cause, after due notice and a hearing.

Section 2. Procedures

- A. Recommendation for recall of an officer can be made by the submission to the Representative Council of a petition containing the signatures of 15% of the General Membership. In the case of members of the Representative Council 15% of the membership of the applicable unit of representation is required.
- B. The Representative Council shall notify in writing any individual who has been recommended for recall.
- C. The Representative Council shall schedule hearings, whenever necessary, to review the recommendation for recall. These hearings shall be open to all members of the Association.
- D. The Representative Council shall cause the results of these hearings to be reported to the General Membership.
- E. The Representative Council shall make the provisions for a recall vote to take place no later than two weeks after the hearings.
- F. In the case of an officer, such recall shall be determined by a majority vote of the General Membership voting; and in the case of a member of the Representative Council by a majority of the membership of the unit of representation voting.
- G. If the recall results in a vacancy, within 15 days the Representative Council shall call for the election of a replacement to fill the unexpired term.

ARTICLE X DUES

- A. A change in the rate of dues shall be approved by a majority of the Representative Council;
- B. In order to attend dues subsidized social events, an attendee must be a member in good standing; and
- C. In order to attend dues subsidized social events, a retired member must have been a dues paying member in good standing for a minimum of 15 years.

ARTICLE XI FISCAL POLICY

- Section 1.** The fiscal year of this Association shall be from September 1 to August 31.
- Section 2.** The budget shall be drawn up by the incoming and outgoing Treasurer with the Budget Committee and presented for adoption at the regular June Representative Council meeting.
- Section 3.** The Treasurer shall report on the Auditor's report to the Representative Council ~~at its regular November meeting~~ by its regular December meeting. It shall be made available to any member upon request.

ARTICLE XII SALARIES AND STIPENDS

- Section 1.** The President of the Association may choose to serve as either a full-time or half time officer of the Association. His/her choice should be made known prior to the election.
 - A. The full-time President shall:
 - 1. receive the regular salary he/she would earn as an employee of the Board of Education;
 - 2. receive a 20% stipend of the maximum regular salary for his/her guide to be payable during the months of July and August;
 - 3. be exempt from paying all Association dues;
 - 4. receive the cash equivalent of the pension contribution;
 - 5. be provided with life insurance comparable to what he/she would have received through the Teacher's Pension and Annuity Fund or the Public Employee Retirement System; ~~and~~
 - 6. shall follow the East Brunswick school calendar work day; and
 - 6 7. shall receive 20 vacation days annually.

- B. The half-time President shall:
 1. receive the regular salary he/she would earn as an employee of the Board of Education;
 2. receive a 20% stipend of the maximum regular salary for his/her guide to be payable during the months of July and August; ~~and~~
 3. be exempt from paying all Association dues;
 4. shall follow the East Brunswick school calendar work days; and
 5. shall receive 10 vacation days annually.

Section 2. Stipends

- A. The following positions shall receive a stipend, the amount to be determined by the Representative Council:
 1. Vice President
 2. Secretary
 3. Treasurer
 4. Director for Active Supportive Members
 5. Committee Chairpersons and Co-Chairpersons
- B. Additional stipends may be paid at the discretion of the Representative Council.
- C. Stipends shall be paid in two payments to be issued in the fall and spring.

**ARTICLE XIII
AUTHORITY**

Section 1. 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 policies as the Representative Council may adopt.

Section 2. The President shall appoint a parliamentarian **as needed** to act as consultant or advisor on parliamentary procedure.

**ARTICLE XIV
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 Committee 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 XV AMENDMENTS

Amendments to ~~this Constitution~~ **these By-laws** or a successor ~~Constitution~~ **By-law document** may be made by a ~~two-thirds~~ **simple** majority of the active members of the Association voting in a regular or special election called for this purpose, provided that:

- A. the amendment(s) has been submitted in writing to the Secretary of the Association, who shall distribute copies of the amendment(s) to the members of the Representative Council,
- B. the Representative Council, by a majority vote, proposes to recommend said amendment(s) to the general membership, and
- C. the ~~Secretary of the Association~~ **Nominations/Elections Chairperson** distributes copies of the amendment(s) so proposed to all active members of the Association at least two calendar weeks in advance of the election.

Addendum: Any positions eliminated by this revised constitution will continue until the revised constitution is put into effect.

Originally Adopted 3/2/1972

Amended 4/5/2011

Amended 4/3/2012

Amended 5/20/15

Amended **xx/xx/2020**

PROPOSED