

ROSELLE PARK EDUCATION ASSOCIATION

“Unity in the Community”

Constitution and By-Laws

Revised 2008-2009

We, the teachers of Roselle Park Public Schools, called into session at the Roselle Park High School, Roselle Park, New Jersey, do hereby and herein revise the Constitution of the Roselle Park Education Association, following the precedent set by the founders of the Roselle Park Teachers Association at the Robert Gordon School on October 8, 1931.

The purposes of the organization are:

a. To foster and promote the professional and social life of the teaching staff by establishing and maintaining helpful, friendly relationships, not only with the group itself, but also with the administration, Board of Education and with the general public.

b. To cooperate with our affiliates (The New Jersey Education Association, the National Education Association and the Union County Education Association) and such other agencies whose purpose is to secure, promote and safeguard the educational interests by means of instruction, conference and such united action as negotiations and teacher welfare.

c. To afford the teaching body an opportunity to share in the charitable and philanthropic efforts, obligations and responsibilities of the community.

d. To constitute a medium for expressing the opinions of the teachers as a whole on matters of vital interest.

ARTICLE I

Section 1 - The name of this organization shall be the ROSELLE PARK EDUCATION ASSOCIATION.

Section 2 - It is incorporated as a non-profit corporation under Title 15, Sections 1-12 of Revised Statutes of the State of New Jersey.

Section 3 - There shall be a minimum of four (4) regular meetings of the association during each school year. There shall be a lapse of at least thirty (30) days between each of the four (4) regular meetings. The dates shall be selected and proposed by the President of the Association.

Section 4 - Special meetings shall be called by:

- a. the President of the Association
- b. resolution of the Association at a regular meeting.
- c. an application to the President of 20% of the members in good standing in writing in which shall be set forth the object of such meeting. No business shall be conducted at a special meeting other than such business as was set forth in the letter to the President. All members of the Association shall be notified of the special meeting and the business to be conducted therein by a special notice distributed to them at least one (1) day prior to said meeting.

Section 5 - In the event that the President and the Vice-President shall be absent from a meeting, the following officers shall be the Presiding officer in the order named.

- a. Recording Secretary
- b. Treasurer

ARTICLE II

Section 1 - The officers of this Association shall be a President, Vice President, a Recording Secretary, and a Treasurer.

Section 2 - No member of this Association shall be installed in any office unless he/she is legally entitled thereto.

Section 3 - Nominations for officers shall take place biennially in March and elections and installation shall be held at a regular meeting convened no sooner than thirty (30) days nor no later than sixty (60) days after said nominations were made. Voting for officers shall be by secret ballot or by open ballot, by a motion duly made and passed by 2/3 of the members present and voting.

Section 4 - The officers elected shall hold office for a period of two (2) years from the date of their election and installation, or until their successors are elected and installed.

Section 5 - Candidates for office in this Association may be nominated by:
a. a nominating committee appointed by the Representative Council. This Nominating Committee shall consist of one member from each building and four (4) alternate members who are in good standing. Said committee will make its recommendations both orally and in writing at the March meeting preceding the meeting at which election for the officers is to be held.

B. By a member in good standing from the floor at the March meeting or at the meeting in which the elections will take place.

Section 6 - All persons nominated for office must give notice of their acceptance of the nomination either:
a. verbally while present at the meeting at which they nominating is made.
b. In writing to the President prior to the actual time of election.

Section 7 - If any officer absents himself/herself for three (3) successive meetings, including regular and Representative Council meetings (except in case of sickness of himself/herself or family, or while on official school business, or is charged by resolution and is found guilty of misconduct or neglect of his/her duties) the members present and voting at the next regular meeting after the resolution has been offered at a Representative Council meeting and passed by a majority of the Council members present and voting. Subject officers will be duly notified of such resolution prior to the regular meeting at which the vote or the resolution is to come up.

Section 8 - In the event of the vacation of office of any of the officers of the Association, the nominating committee will reconvene and present a slate at the next general membership meeting for seconding, accepting additional nominations from the floor as defined above. The newly elected officer (s) will take office immediately.

Section 9 - The Association shall guarantee ethnic minority representation on its Representative Council at least proportionate to its active non-classroom teacher membership.

ARTICLE III Duties of Officers

Section 1 - The President shall open the regular and special meetings of the Association at the time and place prescribed by its laws. He/She shall preside at all meetings of the Association and its Representative Council, preserve order and decorum and enforce the Constitution and By-Laws. He/She shall give the deciding vote on questions, when without his/her vote there may be an equal diversion, except in the election of officers and appeals from his/her decisions. He/She shall sign all cards, certificates, reports and notices requiring his/her signature to authenticate them and orders on the Treasurer voted for by the Association. He/She shall, on being notified of the death of a member in good standing, or of any immediate relative of said member, or of any other occasion, convey to said member or his/her family the appropriate feelings of the members of the Association. He/She shall within one month following his/her installation appoint all permanent committees whose duty it is to meet and report at each of the meetings of the Association, and he/she shall appoint all other committees of the Association unless otherwise provided by Law or ordered by the Association.

Section 2 - The Vice-President shall in the absence of, or by the direction of the President, open and preside at the Association and/or Representative Council meetings. The Vice-President shall have the right to vote on Representative Council decisions. The Vice-President shall perform such other activities as may be required by the By-Laws or as directed by the Association or President.

Section 3 - The Recording Secretary shall keep a permanently bound record of all regular, special Representative Council meetings and all other meetings of the Association and of business transacted there. He/She shall also act as recording secretary for the Representative Council with the right of voting. He/She shall keep the following books of the Association: a permanently bound record book in which the minutes shall be kept, the original and a copy of the Constitution and By-Laws of this Association. He/She shall keep a dated record indicating the attendance of all elected officers. He/She shall validate all Presidential and Association orders on the Treasurer. He/She shall perform such other duties as may be required by the By-Laws or as directed by the Association or President.

Section 4 - The Treasurer shall receive and deposit in a bank designated by the Association all monies and property which shall be placed in his/her hands by the Association. He/She shall keep in a permanently bound book, an accurate record and account of the same, he/she shall disburse the same or any part thereof as ordered by the Association upon order of the President, duly attested by the Recording Secretary. He/She shall present a statement of the finances of the Association whenever required, and perform such other duties pertaining to his/her office as the By-Laws may require or the Association or President direct. The Treasurer must be bonded. All checks must be signed by a person charged with the responsibility of that account and the President or Vice President.

Section 5 - All outgoing Officers and Committees shall turn over to their successors in office all documents, papers and properties that may be in their possession at the time when their successors are installed in office.

ARTICLE IV Committees

Section 1 - The regular standing committees of the Association shall be:

- a. The Representative Council
- b. The Nominating Committee
- c. Negotiating Committee
- d. Auditing Committee
- e. Social/Sunshine Committee
- f. Legislative Action Team Committee
- g. Pride Committee
- h. Public Relations Committee

Section 2 - The Representative Council shall be composed of the officers of the Association, the chairpersons of the standing committees, and one (1) representative from each school building in the borough. A majority of the members of the Representative Council shall constitute a quorum and shall be empowered to conduct all business necessary for the operation and conduct of the Association, and where feasible, make recommendations to the Association for final action.

Section 3 - The Professional Negotiating Committee shall be empowered to carry out whatever research is necessary to arrive at, and present to the Association for their approval, a proposed Contract. The majority of the Association members present and voting is hereby given permission to carry on contract negotiations with the Superintendent of Schools and the Board of Education. The Committee shall not have the power to accept, on behalf of the Association, any counter proposals or changes in the contract, approved by the members of the Association without first reporting said changes or counter proposals to the general membership and receiving the approval of the majority of the members present and voting.

Section 4 - The Auditing Committee shall be given the Treasurer's records and vouchers no less than one month prior to the general association meeting in September. It shall be their duty to certify to the correctness of the Treasurer's books and submit such certification in writing to the President. Should the Auditing Committee be unable to certify the Treasurer's report, they should so state in writing, setting out all the facts as they find them.

Section 5 - The Budget and Finance Committee shall prepare for the Association's approval, an Annual Budget of all anticipated expenditures for the year. Said budget is to be presented to the general membership at its first regular meeting following the annual election of its officers and must be approved by a majority of the members present and voting. All expenditures or appropriations not included in the budget must be recommended for approval by the Representative Council and approved by a majority of the members present and voting.

Section 6 - The remaining Committees shall perform all the duties consistent with their titles and all other duties that may be assigned to them in the By-Laws as they now exist or may exist in the future, or as directed by the Association or the President.

ARTICLE V Membership

Section 1 - Any teacher, guidance counselor, librarian, nurse, secretary, clerk, custodian or paraprofessional who is in the employ of the Roselle Park board of Education shall be eligible to apply for membership in this Association. This is not to be construed as denying the Association the privilege of electing any person to honorary membership.

Section 2 - Any person eligible for membership in this Association shall become a member by Automatic Payroll Deduction (APD) and by completing and signing a form for membership furnished by the Association.

Section 3 - Members of this Association who are on active duty in the Armed forces of the United States shall be exempt from paying dues until six (6) months after discharge there from. While on active duty, said member will have all the rights of the membership in which he was enrolled except the right to vote or hold office.

Section 4 - No person shall be allowed to vote at any meeting of the Association unless he/she shall be a member in good standing. Every member shall have the right to meet and assemble fully with other member 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.

ARTICLE VI Dues and Assessments

Section 1 - The annual dues payable by the members of this Association shall be determined by the budget set by the Association annually.

Section 2 - Upon recommendation of the Representative Council made at a regular or special meeting, members of the Association may, by a two-thirds affirmative vote of those present, assess the entire active membership the sum necessary to meet any emergency expenses.

ARTICLE VII

Quorum

Section 1 - A quorum shall be necessary to conduct an official Association business.

Section 2 - A quorum for the transaction of any Association business shall consist of twenty-five (25%) of the members in good standing, provided that at least three (3) schools shall be represented at the meeting.

ARTICLE VIII

Suspension and Expulsion

Section 1 - Suspensions shall be for the following offenses:

- a. Non-payment of dues and assessments.
- b. Any gross violation of :
 - (1) Duty to the Association, or
 - (2) The “Code of Ethics of the Education Profession”
- c. Conviction by a Court of Law and sentence thereon for having committed a felony, forgery or perjury.

ARTICLE IX
Resignation

Section 1 - Resignations from the Association must be made in writing and handed to or mailed to the Secretary of the Association. The resignation may be accepted only when the member is in good standing and not indebted to the Association.

ARTICLE X
PARLIAMENTARY PROCEDURE

Section 1 - Robert's Rules of Order (latest revised edition) shall govern the procedure of the meetings of the Association so far as they may be consistent with the Constitution and By-Laws of the Association.

Section 2 - The President should appoint a Parliamentarian, one in whom he/she has confidence. The duties of the Parliamentarian are to advise the President regarding procedural matters in upholding our Constitution.

ARTICLE XI
AMENDMENTS

Section 1 - The Constitution of this Association may be amended by a proposal in writing to that effect, signed by not less than five (5) members of the Association in good standing. Such proposal shall be read in open meeting. A copy of the proposed amendment shall be submitted to each member at least fourteen (14) days prior to the next regular meeting so as further discussion may be had thereon. Final action on the proposed amendment shall become effective only if approved by two-thirds (2/3) of the members present and voting.

ARTICLE XII OTHER MATTERS

Section 1 - The various sections of this Constitution and By-Laws of the Association are interdependent, and are to be read in the light of the intent expressed in different articles and sections.

Section 2 - In the event that any section of this Constitution and By-Laws shall be held in violation to that of the Constitutions of the United States, or of the National Education Association, then said section or sections shall in no way effect the remainder of this Constitution or By-Laws.

Section 3 - Should an emergency arise, action in connection with which is not specifically provided for in the Constitution or By-Laws, the President shall have the authority to act by and with the consent of the Representative Council. The secretary shall note the emergency in the minutes of the Council meeting and bring it to the attention of the general membership at the next regular or special meeting. Appropriate action by the Association shall be taken to ratify such action and to provide for a method of future procedure should the emergency arise again.

BY-LAWS

ARTICLE I DEFINING THE SCHOOL YEAR

Section 1 - The term "school year" as used in the Constitution shall be in accordance with the RPEA contract.

Section 2 - The fiscal year shall be September 1 through August 31.

ARTICLE II TERM IN OFFICE

Section 1 - No officer shall be eligible to more than four (4) consecutive terms in the same office. An exception will be made should there be no other nominations for the office.

Section 2 - In filling vacancies for unexpired terms, an officer who has served more than half (1/2) a term is considered to have served a full term in that office. If it is a paid office, the salary shall be paid in proportion to the time spent in office.

ARTICLE III DUTIES OF OFFICERS

Section 1 - The President shall be an ex-officio member of all Committees except the Nominating Committee, and may exercise all the rights of a Committee member.

Section 2 - The immediate Past President shall be a member of the Representative Council with voting rights.

ARTICLE IV COMMITTEES

Section 1 - All regular and standing committees except the Nominating Committee shall be appointed by the President. If the Committee is to be a special one, the members by motion from the floor duly seconded and approved by a majority of those present and by voting, may elect to name the number to constitute such a committee and may nominate and elect such members on a plurality vote.

Section 2 - The life of any standing committee appointed by the President shall coincide with the term of the President, and may be disbanded at his/her discretion or at the discretion of the members at large acting in accordance with Parliamentary Law pertaining to said subject. The life of a special committee shall be governed by the Parliamentary Rules pertaining to special committees. The Negotiations Committee shall remain intact until the RPEA Contract is signed.

Section 3 - The Representative Council and the Executive Committee shall be empowered to adopt By-Laws to govern themselves, providing the same are not inconsistent with parent body. Nothing contained in this By-Law shall act to prevent the parent body from ordering the Representative Council to amend or rescind any or all of their By-Laws and continue to function under By-Laws set up by the Parent Group.

Section 4 - The Representative Council shall not be empowered to modify any action taken by the Association at any regular or special meeting.

Section 5 - The Representative Council shall have all the power of the Association between regular meetings of the Association except those set out above or that may become part of the By-Laws in the future.

Section 6 - Chairpersons of Special Committees, not members of the Representative Council, shall attend the meetings of the Council at the discretion of the President without the right to make motions or vote.

Section 7 - Four (4) weeks prior to the biennial nomination meeting in March, the President shall designate a day on which the Nominating Committee shall first meet to choose a candidate for the offices that will be vacated that year. The President shall also instruct the Secretary to notify all members, through the usual channels, that a time and place has been designated at which this committee shall report its choice of nominations for each office. Nothing in this section shall act to amend or negate the provisions of Article II, Section 5b.

Section 8 - The members of the Nominating Committee shall have the right to choose a Chairperson from amongst their members. It shall be the duty of the Chairperson to make all reports for the Committee.

Section 9 - Membership on the Nominating Committee shall not bar anyone from becoming a nominee for an office in this Association.

Section 10 - Faculty Representatives from the several schools shall be elected by plurality vote in their respective schools by members of the Association in those schools. In each school, the meeting for election shall be held during the first two weeks of school in September. In order to qualify for nomination as Faculty Representative, said nominee must have been a member of the Roselle Park Education Association for at least one year prior to his/her nomination. There shall be a ratio of at least one (1) Faculty Representative for every twenty (25 members).

Section 11 - These representatives shall serve for a term of one (1) Association year, providing there shall be no misfeasance, malfeasance or nonfeasance on their part.

Section 12 - Faculty Representatives may be removed for just cause by an affirmative vote of two-thirds of the members of the Association in that school.

Section 13 - In case of a vacancy among the representatives, another representative shall be elected by that school's Association members in whom the vacancy occurs, and said representative shall take over at once.

Section 14 - The election of officers shall be by ballot as specified, and plurality shall elect.

ARTICLE XI AMENDMENTS

Section 1 - These By-Laws may be amended at any meeting of the Association by a two-thirds (2/3) vote of the members present.

Section 2 - These By-Laws may be suspended at any meeting by a unanimous vote.

ARTICLE XII
OTHER MATTERS

Section 1 - All parts of this Constitution and its By-Laws shall be in force immediately upon passage by the members of the Association (which was September 2nd, 2008).

Section 2 - All officers now in office shall continue to hold office until new officers are elected or until the office becomes vacated as per the provisions in this Constitution.