

CONSTITUTION AND BY-LAWS
OF THE
EDUCATION ASSOCIATIONS OF NORRISTOWN AREA
2009

CONSTITUTION

ARTICLE 1: NAME

SECTION 1. The name of this organization shall be the Education Associations of Norristown Area (EANA); hereafter referred to as the Association.

SECTION 2. This organization is a Local Association of the Pennsylvania State Education Association and a member of the Unified Teaching Profession.

SECTION 3. This organization is an integral part of the National Education Association (NEA), the Pennsylvania State Education Association (PSEA), and the Mideastern Region of the Pennsylvania State Education Association (MER).

ARTICLE II: PURPOSES

SECTION 1. The purpose of the Association shall be to promote the general educational welfare of the Norristown Area School District; to protect and to advance the interests and the general welfare of its members; to foster professional zeal; to advance educational standards; and to establish and to maintain helpful, friendly relations.

SECTION 2. To enable members to speak with a common voice on matters pertaining to the teaching profession and all encompassing collegial professions and to present their individual and common interests before the School Board and other legal authorities.

SECTION 3. To promote membership in and cooperation with the Pennsylvania State Education Association and the National Education Association in carrying out the avowed objectives;

SECTION 4: To promote the Education Associations of Norristown Area and the education profession to the public.

ARTICLE III: MEMBERSHIP

SECTION 1. Membership in the Association shall consist of a category of active members and such other categories as may be provided in the By-Laws, shall be available to employees of the Norristown Area School District and in the bargaining units represented by the Association. Applicants for membership shall agree to subscribe to the purpose and objectives of the Association as prescribed in the Constitution and By-Laws, and comply with the appropriate PSEA Code of

Ethics. A person shall not be eligible for membership in the Association unless he or she maintains unified membership in PSEA and NEA.

SECTION 2. The annual dues of the Association shall be set forth by the Representative Council.

SECTION 3. According to procedures adopted by the Representative Council and approved by the membership, the Representative Council may recommend to PSEA the suspension from membership or the expulsion of any member who shall have been found in violation of the appropriate PSEA Code of Ethics or whose interest and activities are destructive to the Association, or who has been convicted in a court learned in the law of a crime involving moral turpitude; and may recommend reinstatement of a member who has been previously suspended or expelled from the Association.

SECTION 4. All rights, title, and interests of a member in and to the property of the Association shall end upon termination of membership.

SECTION 5. The Association shall have the same membership and fiscal year as PSEA and NEA.

ARTICLE IV: OFFICERS

SECTION 1. The officers of the Association shall be as follows: President, Vice-president-professional, Vice-president-education support, Secretary, and Treasurer. To be eligible for the position of Vice-president-professional, the employee must be a member of the professional staff bargaining unit. To be eligible for the position of Vice-president-education support, the employee must be a member of the support staff bargaining unit. All other offices shall be open to any member of the Association.

SECTION 2. The duties of these officers shall be such as are ordinarily attached to these offices or as designated in the ByLaws.

SECTION 3. Officers must be active members of the Association for at least eighteen (18) months prior to their election into office, must be active members in PSEA, and NEA at the time of their election, and shall maintain their membership in good standing during their term of service.

SECTION 4. Officers shall serve a term of two (2) years, beginning June 1 and ending on May 31 of the second year. The election of officers shall be held in the month of April.

SECTION 5. Whenever the position of President becomes vacant, the Vice-president-professional shall become the President of the Association and a general election shall be held to replace the Vice-president-professional. A vacancy in any other elected office shall be filled by the President with the confirmation of the Representative Council.

SECTION 6. The names and addresses and any other information required of all officers shall be filed by the Association's secretary with the MER immediately upon their election.

SECTION 7. The election of all officers shall be through open nomination, by secret ballot, by majority vote, and in conformity with the one-person one-vote rule.

ARTICLE V: RECALL OF OFFICERS

SECTION 1. Any officer of the Association may be recalled from office by two-thirds vote of the ballots cast during the day set forth and specified by the Executive Board. This must occur within twenty-one (21) calendar days of the recall petition. The recall petition shall be presented to the President. Should the President be the subject of the recall, then the recall petition shall be presented to the Secretary. Recall shall be initiated by a recall petition signed by two hundred members of the association. If successfully recalled, the recalled officer shall be refrained from an Executive Board position for the next two successive elections.

ARTICLE VI: EXECUTIVE BOARD

SECTION 1. The Executive Board shall consist of the officers of the Association and the following: one custodial/maintenance/transportation representative, one paraprofessional representative, one cafeteria representative, one uncertified RN/secretary representative, and three (3) professional representatives: one high school level, one middle school level, one elementary school level. These Executive Board representatives will be elected by the general membership. The Executive Board shall be the executive authority of the Association.

SECTION 2. Executive Board representatives shall serve a term of two (2) years and may stand for reelection without an intervening term. Executive Board representatives shall assume office on June 1 following their election. The election for representatives shall be held in the month of May.

SECTION 4. Under personnel policies by the Representative Council and within the annual budget, the Executive Board shall have the power to employ secretarial or professional staff for the efficient management of the Association.

ARTICLE VII: REPRESENTATIVE COUNCIL

SECTION 1. The legislative and policy-forming body of the Association shall be the Representative Council.

SECTION 2. The Representative Council shall consist of the members of the Executive Board one or more representatives from each school building, and the chairpersons of the committees. There must be at least one representative representing each vice-presidential group.

SECTION 3. Representation on the Representative Council shall be on the basis of building membership in the ratio of one-to-fifteen, or any major fraction thereof, for professional staff, and in the ratio of one-to-fifteen, or any major fraction thereof, for the educational support staff. Representatives shall serve for a term of one year, which shall run from June 1 following the election.

SECTION 4. Any member of the Association who is not a member of the Representative Council may attend its meetings, may be recognized by the chair, but shall not have the right to vote.

SECTION 5. The Representative Council shall meet at least once a month from September through June at a time and place designated by the President.

SECTION 6. Any vacancy shall be filled by another EANA member from the same school and same category.

ARTICLE VIII: PROPORTIONAL REPRESENTATION

SECTION 1. The Association shall take all responsible and legally permissible steps to achieve on its elective and appointive bodies ethnic-minority representation that is at least proportionate to its ethnic-minority membership.

ARTICLE IX: PARLIAMENTARIAN

SECTION 1. The President shall have the authority to appoint a Parliamentarian with the approval of a majority of the members of the Representative Council.

SECTION 2. The Parliamentarian shall serve at the Representative Council meetings and at other meetings as requested by the President.

ARTICLE X: AFFILIATION PROVISION & MEMBERSHIP YEAR

SECTION 1. This Association shall be affiliated with the Pennsylvania State Education Association and the National Education Association. A person shall not be eligible for membership in the Association unless he or she maintains unified membership in PSEA and NEA.

SECTION 2. This Association shall have the same membership year as PSEA and NEA.

ARTICLE XI: MEETINGS

SECTION 1. The Executive Board shall meet monthly. Special meetings may be called by the President or at the request of three (3) members of the Board.

SECTION 2. Special meetings of the Representative Council may be held at the call of the President or upon written request to the Executive Board from twenty-five percent of the members of the Representative Council. Business to come before special meetings must be stated in the call,

which shall be sent in writing to each representative. Only business stated in the call shall be included in the agenda.

SECTION 3. Meetings of the general membership may be held at the call of the President. They must be held upon written petition of ten percent of the members of the Association. The Executive Board shall notify the general membership of the time and place of the meeting. This meeting must take place within fourteen (14) calendar days of the date of the receipt of the written petition.

ARTICLE XII: CONTRACT RATIFICATION

SECTION 1. A special informational meeting shall be called by the President for the purpose of approving any contract negotiated under the provisions of Act 195 or Act 88. Notice of such meeting shall be at least five (5) calendar days in advance. Invited guests approved by the Executive Board may attend the meeting, but may not vote on the issue of ratification. Each member shall receive a written copy of the proposed changes to the contract, or the proposed contract itself.

SECTION 2. There shall be at least one informational meeting prior to the vote, to be held at least forty-eight hours before the ratification vote.

SECTION 3. Procedural requirements for conducting the informational meeting shall include the following:

1. An identification of who is to conduct the meeting;
2. A sign-in process for attendees;
3. An explanation of the proposal by bargaining team members;
4. A recommendation from the negotiations committee;
5. The opportunity to ask questions for purposes of clarification;
6. Instruction to attendees that there are to be no press releases or outside public discussions of the proposed contract;
7. An explanation of the procedure to be used for contract ratification.

SECTION 4. Procedural requirements for the ratification meeting should include the following:

1. The voting shall take place by secret ballot in each school building;
2. A sign-in process will be used to provide each member with a secret ballot;
3. A procedure for securing the ballot boxes from each school building;
4. A procedure for determining who is responsible for collecting and tabulating the ballots;
5. A simple majority of those casting ballots is required in order for the contract to be ratified;
6. Absentee or proxy ballots are not permissible.

SECTION 5. Electronic balloting, in accordance with PSEA may be substituted for building ballots at the discretion of the Executive Board.

SECTION 6. The procedural requirements for ratification of a contract may be waived in a crisis situation upon vote of two-thirds majority of the members present at the information meeting provided in Section 1 above.

ARTICLE XIV: QUORUM

SECTION 1. A majority of the elected or appointed members shall constitute a quorum for all Executive Board and Representative Council meetings. Persons serving in more than one capacity to the Representative Council shall be entitled to one vote. The number needed for a quorum shall be adjusted accordingly.

SECTION 2. A quorum for general membership meetings shall consist of the members present at any such meeting.

ARTICLE XV: BALLOT

SECTION 1. Ballot shall be defined as a secret vote that is to occur during a specified day predetermined by the Executive Board, unless otherwise stated and agreed upon by the Representative Council. To receive a ballot, members will be required to sign for the ballot. This is to ensure one member – one vote status during votes. There will not be proxy or absentee ballots during any vote requiring secret ballot. A majority of vote will be declared when two-thirds (2/3) of the ballots cast at any stated or special meeting that has been appropriately scheduled present the same outcome.

ARTICLE XV: AMENDMENTS

SECTION 1. This constitution may be amended by a vote of the members as directed in Article XV: Ballot, provided that notice of the meeting and proposed amendment(s) has been posted at least fourteen calendar days prior to the meeting.

SECTION 2. No amendment to this constitution shall be enacted which contravenes the Constitutions of PSEA or NEA.

SECTION 3. Amendments to the Constitution or ByLaws may be proposed by the Executive Board or by five (5) members of the Representative Council.

ARTICLE XVI: BY-LAWS

SECTION 1. By-Laws not inconsistent with the Constitution shall be adopted by a two-thirds majority vote of the members attending the general membership called for this purpose. The provisions of any section of the By-Laws may be suspended for a single meeting by a two-thirds vote of the members present.

BY-LAWS

ARTICLE I: NOMINATIONS AND ELECTIONS OF OFFICERS

SECTION 1. The election of officers shall be held every other year.

SECTION 2. Nominations – A Committee on Elections, appointed by the President with the approval of the Executive Board, shall conduct the election of officers in April. Nominations of candidates shall be taken from any Association member under the procedures outlined by the Committee on Elections. Members may self-nominate. A slate of officers shall be prepared by the committee and presented to the Executive Board and general membership. The same procedure shall be followed for the election of Representatives to the Executive Board in May.

SECTION 3. Members shall vote for officers by ballot as defined by Article XV: Ballot in the Constitution. Should there be only one candidate for an office then the Committee on Elections shall declare that member the winner and no vote will be required for that office. The Committee on Elections shall report results to the President who shall cause them to be published. The same procedure shall be followed for the election of Representatives to the Executive Board in May.

ARTICLE II: DUES

SECTION 1. The annual dues of this Association shall be approved by the Representative Council. The dues shall be tentatively set in May with final adoption in June. All dues will be deducted through payroll deduction.

SECTION 2. Before the end of school year in which any group is merged into the Association, a proposal must be entertained by the Executive Board and Representative Council for the combining of treasuries and dues structures. The proposal shall be published. The proposal shall be created in such a manner that is financially fair to all members. Final merge of treasuries and dues structures must be completed before the end of the second school year following the merge into the Association.

ARTICLE III: THE OFFICERS

SECTION 1. President – The President shall preside over meetings of the Executive Board, the Representative Council, and the general membership. The President shall appoint, with approval by the Executive Board and the Representative Council, the chairpersons of standing and special committees. The President shall be an ex officio member of all committees and shall be the executive officer of the Association. 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. The President shall be an automatic delegate to the Conventions of NEA, PSEA, and MER. The first elected alternate, if any, shall attend if the President is unable.

SECTION 2. Vice-president-professional – The Vice-president-professional shall perform the functions usually attributed to the office. The Vice-president-professional shall coordinate for the President all issues and activities involving the professional staff bargaining unit members. The Vice-president-professional shall work closely with one or more of the standing committees and shall perform other duties as the President may direct. In the absence of the President, the Vice-president-professional shall assume the duties of that office.

SECTION 3. Vice-president-support – The Vice-president-support shall perform the functions usually attributed to the office. The Vice-president-support shall work closely with one or more of the standing committees and shall perform other duties as the President may direct.

SECTION 4. Treasurer –The Treasurer shall hold the funds of the Association and disburse them accordingly upon authorization by the Executive Board. The Treasurer shall keep accurate accounts of receipts, disbursements, and current balances; shall report at each Representative Council meeting; shall prepare an annual financial statement in September for publication to members as directed by the Representative Council; and shall perform any other duties as the President may direct. The Treasurer shall present a tentative budget in May with final adoption at the June Representative Council meeting. There shall be an annual audit.

SECTION 5. Secretary – The Secretary shall keep accurate minutes of all meetings of the Executive Board, Representative Council and General Membership meetings. Copies of these minutes are to be placed in the official Association files. The Secretary shall assist the President with Association correspondence. The Secretary shall maintain the organization and security of Association records. The Secretary shall arrange access by members to records of the Association that are not classified as confidential. Grievance and ongoing negotiations records are confidential. In the Secretary's absence, the duties shall be assumed by a member of the Executive Board. Whenever the office of Secretary becomes vacant, a general election shall take place to fill the position. The Executive Board shall assume the Secretary's duties until a replacement is elected.

ARTICLE IV: REPRESENTATIVES TO EXECUTIVE BOARD

SECTION 1. The Representatives shall attend Executive Board and Representative Council meetings shall accomplish tasks necessary for Association social functions, and shall perform other duties as the President may direct.

SECTION 2. If a vacancy occurs in the Representatives to the Executive Board, it shall be filled for the unexpired term by a majority vote of the Representative Council.

ARTICLE V: THE EXECUTIVE BOARD

SECTION 1. The Executive Board shall carry out the mandates of the Representative Council, to establish the Association policies which are not inconsistent with these mandates and to perform such duties as may be required by the Constitution and By-Laws, between meetings of the Representative Council. The Executive Board shall recommend appointive commissions and

committees to fill vacancies thereon, and to define their functions, duties and powers. The Executive Board shall call special meetings of the Representative Council and the general membership by a two-thirds vote of the total membership of the Executive Board. The Executive Board shall appoint a qualified accountant to audit the books and funds of the Association. The Executive Board shall budget and allocate the Association funds and approve the expenditure of The Association funds for purposes not expressly budgeted between meetings of the Representative Council.

ARTICLE VI: THE REPRESENTATIVE COUNCIL

SECTION 1. The Representative Council shall initiate general policies of the Association, shall approve the budget, shall approve the dues for the Association, and shall adopt procedures for implementing the Code of Ethics of the Education Profession, the codes of ethics of associated professions, and for censuring, suspending, and expelling members for cause or for reinstating members. Powers not delegated to the Officers, Executive Board, or other groups in the Association shall be vested in the Representative Council.

ARTICLE VII: BUILDING REPRESENTATIVES

SECTION 1. In each school building in the district embraced by the membership of this Association, employees who are members in good standing of the Association shall elect for a term of one calendar year, one representative and one alternate to the Representative Council for each fifteen (15) members or major fraction thereof. There shall be at least one representative from each building. If there is more than one representative to be elected in any building, then at least one representative from each bargaining unit must be elected. Elections shall take place in May. Representatives shall serve as Representatives-Elect in May and shall take their seats at the June meeting of the Representative Council. Representation for the May elections shall be determined by the building membership as of April 1st. Adjustments due to increase or decrease of building membership shall be made in October so that up-to-date representation is assured for the November Representative Council meeting.

SECTION 2. A Building Representative must be a member of the staff of a building. A Building Representative must be a member of the bargaining unit. Employees who perform services for more than one building shall be considered members of the building in which they are assigned for administrative purposes.

SECTION 3. Building representatives, or their alternates, shall not be absent from the regular meetings of the Representative Council. After two unexcused absences of a Representative or alternate, the President may declare the seat vacant and call for a faculty election to fill out the term. The President may designate a member in good standing to organize this special election.

SECTION 4. The Building Representative shall call Association members of the building to discuss Association business, shall appoint such committees as the Association may require, and shall organize and oversee the subsequent election of Building Representatives. The Building Representative shall assist the Membership Committee in the enrollment of members in the local,

state, and national associations and shall maintain two-way communications with the buildings. The Building Representative shall be responsible for submitting recommended policies to the Representative Council as they may be called for by the building faculty and shall submit recommended policies of the Representative Council to the membership for their information, and, when called for, for their ratification.

SECTION 5. Faculty representatives shall be members of the Association. It is recommended that they shall have been members of EANA for at least one calendar year prior to their election. They shall maintain their unified membership during their term of office.

ARTICLE IX: STANDING COMMITTEES

SECTION 1. Meetings – Each standing committee shall meet according to a calendar developed by the committee chairperson.

SECTION 2. Reports – Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report monthly, in writing, to the Representative Council and shall prepare an annual report which the Representative Council shall distribute to the members. This annual report shall become part of the continuing record in the Association files.

SECTION 3. Standing Committees and Duties

- (A) NEGOTIATIONS COMMITTEE – The Negotiations Committee shall review all existing economic and noneconomic personnel policies, shall prepare a survey to be distributed to the membership to determine their requirements, and shall develop a proposed package to be negotiated with the Board of School Directors by the Association’s Negotiating Team. The Association’s Negotiating Team shall be selected from this committee and/or the Representative Council.
- (B) PROFESSIONAL RIGHTS AND RESPONSIBILITIES COMMITTEE – The PR&R Committee shall explore and prepare action programs for securing satisfactory policies and procedures for the redress of grievances. Upon recommendation of the Executive Board, this committee may be divided so as to be separate standing committees, each responsible to a vice-president. It shall advise the Representative Council on procedures for the implementation of the Code of Ethics and in situations of censure, suspension, or expulsion of members. It may develop a program of orientation to the Code of Ethics for all members of the Association. It shall provide assistance to local members upon request, and request aid from the PSEA and NEA in dealing with school controversies and conflicts. This committee shall concern itself with the personnel policies and problems of the School District. It shall discuss, review, and recommend personnel policies for consideration by the Negotiations Committee. It shall promote sound written personnel policies in the School District and cause those policies to be distributed to each professional employee.

Authority to discipline and to reinstate membership in the United Teaching Profession is vested in the Board of Directors of PSEA.

- (C) MEMBERSHIP COMMITTEE – This committee shall organize and conduct the Unified Membership campaign. This committee shall work with the faculty representative in conducting the membership campaign. The committee shall develop programs for the orientation of new members to the community, to the school system and to the Association. The committee shall be responsible for keeping an updated membership list with current addresses.
- (D) LEGISLATIVE COMMITTEE – The Legislative Committee shall have broad concern for local, state, and national legislation affecting the interests of the Association and for exercise of civic responsibilities by members. It keeps informed on current legislative proposals and objectives; interprets legislative programs to the membership; and makes legislative contacts as advised by the State and National Associations. It encourages the registration and voting of all members, arranges Association or public meetings dealing with legislation, and in general promotes activities leading to the passage of favorable legislation for schools.
- (E) COUNCIL ON INSTRUCTION AND PROFESSIONAL DEVELOPMENT – The IPD Council shall promote the educational objectives of the Association, and advise and make recommendations to the Representative Council. The council shall formulate proposals for instructional improvement and shall monitor procedures for the evaluation of professional employees and programs relating to professional autonomy. The council shall formulate proposals for promoting the objectives for maintaining and improving all associated professions where state and/or national licensing exists. The chairperson(s) of this council shall also be responsible for forwarding their names to MER so as to disseminate information as presented by MER IPD.
- (F) MEMBER BENEFITS COMMITTEE – The Member Benefits Committee shall maintain a special services program on the local level. It shall strive to expand this program to include as many merchants as possible. This committee shall distribute an accurate up-to-date listing of merchants and the types of discounts they offer. The committee shall be responsible for disseminating information on the PSEA and NEA Member Benefits Programs.
- (G) PUBLIC RELATIONS COMMITTEE – The PR committee shall seek to develop public understanding of the purposes and programs of the Association. It shall develop procedures by which the Association can work cooperatively with the parents and the general public. Toward this end, the committee may promote American Education Week and Teaching Career Month. This committee shall assume responsibility for the local Association Newsletter, and shall undertake all other public relations as outlined in the guidelines of the Public Relations Committee for PSEA and NEA.

- (H) INTERGROUP RELATIONS – This committee shall work to ensure that equal opportunity and treatment is offered to every student and professional employee of the district; that there is an integration of professional staff within the district; and that the Association’s program is relevant to, and cognizant of, the needs of its minority members.
- (I) SOCIAL COMMITTEE – This committee shall organize social activities for the welfare of members and to promote fellowship in the Association.

ARTICLE X: SPECIAL COMMITTEES

SECTION 1. The President shall appoint Audit and Budget Committees annually, an Elections Committee every other year, and other committees as needed. These committees shall operate according to the rules approved by the Executive Board. The President shall dissolve these committees upon completion of their duties. The President with the approval of the Executive Board shall appoint the chairs of these committees.

SECTION 2. No officer of the Association or Representative to the Executive Board shall serve on the Audit or Elections Committees.

SECTION 3. As a member of the Association you may be called upon or be elected to represent and may be expected to attend and/or participate in an orientation. Attendance and/or participation will be required to continue this specific active involvement in the Association.

ARTICLE XI: DELEGATES

Delegates to the Conventions of NEA, PSEA, and MER shall be elected by the general membership of the Association in accordance with the numbers and regulations prescribed by PSEA and NEA except as provided in Article III, section 1 of the By-Laws.

ARTICLE XII: AUTHORITY

SECTION 1. Robert’s *Rules of Order (Revised Edition)* 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 Representative Council may adopt.

SECTION 2. The Parliamentarian may be requested by the President to rule on questions regarding Parliamentary procedure.

ARTICLE XIII: AMENDMENT

SECTION 1. These By-Laws may be amended by a two-thirds vote of members attending a meeting of the general membership called for this purpose, provided that notice of the meeting and proposed amendment(s) has been posted at least fourteen calendar days prior to the meeting.

SECTION 2. Should NEA and/or PSEA require wording changes or policies; such actions will be provided to members and the Constitution and By-Laws will be changed accordingly.