

# **OCVTEA CONSTITUTION**

**January 9, 2013**

# **OCVTEA OFFICERS**

<b>President</b>	<b>Howard Polenberg</b>
<b>V. President</b>	<b>Tiffany Seeley</b>
<b>Secretary</b>	<b>Jennifer Etzkorn</b>
<b>Treasurer</b>	<b>Eileen Verde</b>

# CONSTITUTION

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## ARTICLE I

### NAME & AFFILIATIONS

- Section I - The name of the Association shall be "Ocean County Vocational Technical Education Association."
- Section II - The Association shall be incorporated as a non-profit corporation under Title 15-A: 2-8 New Jersey Domestic Nonprofit Corporation Act.
- Section III - 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. OCVTEA may apply to NJEA to be included in a group exempt letter.

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

- Section IV - The Association shall be an affiliate of the New Jersey Education Association, the National Education Association and the Ocean County Council 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 any liability for damages to the Association or NJEA due to actions taken independently by either.

## ARTICLE II

### MISSION

The mission of the Ocean County Vocational Technical Education Association shall be to provide an opportunity for a continuous study of the education profession; to foster good fellowship and professional ethics among its members; to establish cooperation between the school and the community; and to form a representative body which will function effectively through and with the County, State, National and other professional organizations with the following objectives:

### OBJECTIVES

1. To unite the educators and educational support members of the Ocean County Vocational Technical School district into one professional organization;
2. To promote educator welfare throughout the county;
3. To promote and develop the highest professional standards, practices and ethics among members;

4. To aid and develop the individual and educational needs of the youth of Ocean County;
5. To promote, encourage, and assist local NJEA associations in Ocean County;
6. To promote the goals of the education profession.

## **ARTICLE III**

### **MEMBERSHIP**

#### **Section I — Active**

Any regularly employed certified professional, custodial or clerical member of the Ocean County Vocational Technical School (other than those employed by grant funding) may become an active member of the Association by the payment of annual dues. Active membership shall be continuous until the member terminates employment, resigns from the Association or fails to pay membership dues.

#### **Section II — Affiliate**

Personnel of the Ocean County Vocational Technical School who are not eligible as active members may enroll as affiliate members, with the payment of one-half of the amount of current dues. These may include part-time day and evening instructors, clerical personnel and custodial staff. Said affiliate members may attend the general membership meetings. An affiliate member shall have all the privileges of an active member except to vote and hold office.

#### **Section III — Honorary**

The association from time to time may wish to bestow this invitation upon someone who has rendered meritorious service in the cause of education. An honorary member shall have all the privileges of an active member except to vote, hold office and shall be exempt from paying dues. Honorary members shall be nominated by the President and must be elected by a majority vote of the Executive Committee.

#### **Section IV — Rights of Membership**

Membership shall be defined as stated in Sections I-III and shall carry with it the following rights of membership:

1. All active members shall have the equal rights and privileges within the association to nominate candidates for office; to vote in elections or on referenda of the Association; to attend general meetings; to participate in the deliberations and voting upon the business of such meetings.
2. Only members in the appropriate unit of representation shall have the right to vote.

3. Every member shall have the right to meet and assemble fully with other members; to express 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. However, comments may be limited through proper parliamentary procedures defined in Robert's Rules of Order in order to allow other members to express their views and to expedite business in a timely fashion.

## **ARTICLE IV**

### **ADMINISTRATION**

#### **Section I — Officers**

The elected officers of the Association shall consist of a president, a vice president, a secretary and a treasurer.

#### **Section II — Executive Council**

The Executive Council of this Association shall consist of the elected officers, association representatives elected from each center (one representative for every ten members), a secretarial representative and a custodial representative.

#### **Section III — Parliamentarian**

This office will be appointed by the president upon taking office and approved by a majority vote of the executive council.

## **ARTICLE V**

### **MEETINGS**

#### **Section I — Regular Meetings**

There shall be a minimum of four general meetings of the Association during the school year. The president, with the help of the Executive Council, shall determine the date, time, and place of these meetings. Meetings shall be scheduled at a time that should allow a majority of the active voting members to attend.

#### **Section II — Special Meetings**

Special meetings shall be held at the call of the president, request of the Executive Council, or upon written request of ten percent of the membership.

## **ARTICLE VI**

### **AMENDMENTS**

This Constitution and Bylaws may be amended by a two-thirds vote of those present at any regular or special meeting, provided notice in writing of a proposed amendment shall have been filed with the secretary and have been presented at the previous regular meeting or a copy of the proposed amendment shall have been distributed in hard copy form or by email to the membership at least one week before the meeting.

## **ARTICLE VII**

### **ELECTION OF OFFICERS**

#### **Section I — Election**

The election of officers shall be by secret ballot at the last general meeting of the year.

#### **Section II — Term**

The term of offices shall be for two years and shall begin July 1<sup>st</sup> following the election. Elected officers shall hold office within their terms as long as they ethically perform the duties of their office.

#### **Section III — Succession**

There shall be no term limitations for elected officers, Association Representatives, secretarial representative or custodial representative. The president, during a contract negotiating year, shall remain in office until he/she signs the new contract.

## **ARTICLE VIII**

### **ELECTION OF ASSOCIATION REPRESENTATIVES**

#### **Section I — Elections**

The election of all Association representatives shall be at least 10 days prior to the last general meeting.

#### **Section II — Term**

The term of office shall be for one year and shall begin July 1st following the election.

#### **Section III — Stipend**

The Ocean County Vocational Technical Education Association representatives shall be paid a stipend for their service as follows:

1. The stipend shall be reviewed annually by the Executive Council.

2. The stipend shall be paid to the president, vice president, secretary, treasurer and one representative from each building which the Association represents and includes in its bargaining group, as well as, the secretarial and custodial representatives. In the event that a building has more than one representative, those representatives will share the stipend.
3. If an officer or representative of the association should miss four or more meetings, they shall be compensated on a pro-rated schedule in which each meeting they attended is equal to 1/14<sup>th</sup> of the appropriate stipend. This formula is based on their required attendance at the ten regularly scheduled Executive Council meetings as well as the four general meetings during the school year. In the event that a building has more than one representative, the attendance at meetings will be shared equally.
4. All officers are expected to conduct themselves in a professional, courteous manner as representatives of the Ocean County Vocational Technical Education Association.
5. As part of the paid stipend, all officers are expected to complete their duties as outlined below.

## **ARTICLE IX**

### **DUTIES OF THE OFFICERS**

#### **Section I — President**

The president shall preside at all Association and Executive Council meetings. He/she shall sign all orders drawn upon the treasury. The president, with the approval of the Executive Council, shall appoint all the chairpersons of standing and special committees. He/she shall be an ex-officio member of all committees. He/she shall call meetings, suggest policies, represent the Association before the public and shall be held responsible for the progress and work of the Association. Specific duties may include, but are not limited to:

- Call and preside over all meetings of the Executive Committee, Representative Council, and general membership;
- Appoint chairs and members of all standing and special committees, not otherwise provided for in this document, subject to the approval of the Representative Council;
- Co-sign all checks and approve all vouchers;
- Appoint a Parliamentarian;
- Sign contracts and other legal documents pertinent to the Association;
- Rescind appointments of chairs and members of committees, subject to the approval of the Representative Council;
- Prepare agendas for all meetings;
- Propose the annual Association calendar;
- Schedule daily coverage for the Association office each week;
- Present an annual report;
- Represent the Association at NJEA/NEA-sponsored activities; and
- Perform all other duties associated with the office.

## Section II — Vice President

In the absence of the president, the vice president shall perform all duties attributed to that office. The vice president shall work closely with standing committees at the suggestion of the president. Specific duties may include, but are not limited to:

- Attend all Association meetings;
- Serve as co-chair of the Legislators' Banquet Committee;
- Coordinate with the chairs of the Government Relations Committee on political and legislative activities;
- Act as liaison for all political action activities in the county;
- Attend Association activities, as assigned by the President;
- Represent the Association at NJEA/NEA-sponsored activities, as assigned by the President;
- Attend meetings of the County Presidents' Council;
- Present an annual report to the Representative Council at the May meeting; and
- Perform such duties as deemed necessary by the President.

## Section III — Parliamentarian

The parliamentarian should be present at all meetings to interpret and enforce the rules put forth in this document. His/her ruling shall be the final word based on the parliamentary procedures in Roberts Rules of Order, Revised, including those items not specified in this Constitution and its Bylaws. The parliamentarian shall be a non-voting member of the Executive Committee.

## Section IV — Secretary

The secretary shall keep a permanent record of all Association and Executive Council meetings. He/she shall provide the Association members with an agenda in advance of all the regularly-scheduled meetings. As directed by the president, the secretary shall carry on correspondence pertaining to the business of the Association. Specific duties may include, but are not limited to:

- Record attendance and take accurate minutes at Executive Committee, Representative Council and all Association meetings, as requested by the President;
- Assist the President with Association correspondence;
- Maintain official files of the Association at the Association office;
- Work with one or more standing committees, as assigned by the President;
- Monitor and support activities at the Association office, as assigned by the President;
- Attend Association activities, as assigned by the President;
- Represent the Association at NJEA/NEA-sponsored activities, as assigned by the President; and
- Perform such duties as deemed necessary by the President.

## Section V — Treasurer

The treasurer shall receive and hold all funds belonging to the Association and disburse same upon authorization of the Executive Council and signed by the president. He/she shall keep an itemized account of the expenditures and receipts and submit a written report at each regular meeting. He/she shall keep the president and Executive Council informed of the financial

condition of the Association. He/she shall prepare an annual financial statement. The treasurer shall also act as chairperson of the membership committee. Specific duties may include, but are not limited to:

- Deposit monies as directed, in the name of the Association;
- Co-sign, with the President, all checks, upon submission of approved vouchers;
- Submit a written report of the Association's financial condition at each Executive Committee and Representative Council meeting;
- Distribute an annual financial statement, no later than the January meeting of the Representative Council;
- File appropriate state and federal forms;
- Maintain payroll accounts for salaried individuals;
- Obtain reimbursements due the Association;
- Maintain files at the Association office;
- Attend all meetings of the Association;
- Serve as chair of the Budget Committee;
- Co-chair the Membership Committee;
- Serve as a member of the House Committee;
- Monitor and support activities at the Association office, as assigned by the President;
- Attend Association activities, as assigned by the President;
- Represent the Association at NJEA/NEA-sponsored activities, as assigned by the President; and
- Perform such duties as deemed necessary by the President.

#### Section VI — Association Representative

The Association representative is the local representative for each center, the nursing program, the secretaries and the custodians. It is his/her responsibility to accumulate, for discussion and dissemination, information from Executive Council meetings. On a monthly basis, the Association Representative, at the Building Level, will conduct an informational and fact gathering meeting with Association members at their center; the Association representative is to preside over the meetings. Each Association representative shall also serve on the membership committee.

## **ARTICLE X**

### **COMMITTEES**

#### Section I — Appointment

The chairperson of each standing committee shall be appointed by the president of the Association with the approval of the Executive Council.

#### Section II— Function

It shall be the duty of all the committees to function as representative groups with the purpose of promoting the education profession as a whole. Committee reports to the Association shall be presented at regularly scheduled meetings in accordance with the approved order of business and recorded in the meeting minutes by the secretary. The president or Executive Council may also

request written committee reports as deemed necessary to document important or to disseminate to the membership.

### Section III — Executive Council

The Executive Council shall have full authority to act upon matters of business which arise between regular meetings. It shall give general direction to the Association program. It shall have the power of approving the expenditures of money. The Executive Council shall be responsible for scheduling a minimum of four general meetings a year. The president and secretary will provide an agenda for each general meeting at least five days before the scheduled meeting date.

The Executive Council will hold one (1) monthly meeting, with a quorum of six (6) being present.

### Section IV — Standing Committees

A. Public Relations — Shall be responsible for reporting activities and meeting minutes to the association membership. The public relations committee shall consist of the members of the Executive Council (or any members appointed by the President) and will perform all reporting via the Association website. The president shall review all information before posting.

B. Legislative Committee — Shall be responsible for keeping the Public Relations Chairperson, Public Relations Committee and all Association members informed concerning pending legislation regarding educational matters. The Legislative Committee Chair shall also collect information from, disseminate information to, share information with and consistently remain in consultation with the Association Representatives at each center concerning letter-writing, phone calls and other political action.

C. Negotiation — Shall be given direction from the president and the Negotiations chairperson appointed by the president. Shall be responsible for exploring, preparing and proposing actions for securing satisfactory programs with regard to salaries, absence, fringe benefits, grievances and general working conditions. The committee shall be responsible for conducting a membership survey of issues and concerns during the year prior to negotiations. The survey results shall be used in developing a written negotiations proposal.

D. Membership — Shall be responsible for conducting membership drives and encouraging membership in the Association. This committee shall consist of the treasurer of the Association, who will act as chairperson, and each Association building representative, the secretarial representative, nursing representative and custodial representative (or any members appointed by the President).

E. Social Graces — Shall be responsible for scheduling and promoting special events of the Association, e.g. NJEA seminars, holiday gatherings, Association meetings and retirement dinners, as well as, any other duties deemed necessary by the president and the Executive Council concerning social activities within the association.

F. Sunshine — Shall be responsible for informing the secretary of the Association regarding action taken in cases of accident, illness and death of members and their immediate families. It shall be responsible for sending an appropriate gift/article of recognition for such situations. A list

of gifts/articles of recognition shall be determined and reviewed annually by the Executive Council.

G. Nominating — Shall be appointed by March 1st to report to the meeting at which election is held. Two weeks' notice of the nominating committee's slate shall be given to each member in hard copy or by email one week prior to meeting.

H. Internal Affairs — Shall assist in the processing and resolution of matters of divergence among and/or between members of the Association. Said committee shall be comprised of the members of the Executive Council (including a full time teacher, a share time teacher, a secretary and custodian) or any members appointed by the President.

#### Section V — Special

Special committees may be appointed by the president as deemed necessary by the Association with the consent of the Executive Council.

### **ARTICLE XI**

#### **VACANCY**

Should a vacancy in office occur between elections, it shall be filled through election at the next regular or special meeting. Whenever the office of both president and vice president shall become vacant between elections, the remaining members of the Executive Council shall choose one of their members to serve as president pro tempore.

### **ARTICLE XII**

#### **REMOVAL**

When a majority of the Executive Council shall agree that an officer has been grossly negligent of the duties as defined in the Constitution and its Bylaws, or become incapacitated, they shall recommend to the Association that the office be declared vacant within ten days. If the Council so votes by a two-thirds majority of those voting, it shall immediately elect a replacement to fill the unexpired term.

### **ARTICLE XIII**

#### **VOTING PROCEDURE FOR CONTRACT RATIFICATION**

##### Section I — Meeting Notification

All members must be notified by hard copy or email public notice a minimum of 24 hours before a possible contract ratification.

##### Section II — Contract Information

A written copy of the proposed contract changes must be submitted to the membership in hard copy or email 24 hours prior to voting on the contract.

### Section III — Voting

Voting must be done at the contract ratification meeting. The voting must be done by a secret ballot. The secretary and appointed sergeant of arms shall count the votes and announce the results. The sergeant of arms shall be appointed by the president at the Executive Council meeting immediately preceding the ratification vote with the approval of the Executive Council.

## **ARTICLE XIV**

### **PARLIAMENTARY PROCEDURE**

#### Section I — Authority

Robert's Rules of Order, Revised, shall be the authority on parliamentary procedure on all matters not covered by the Bylaws of the Association. The parliamentarian shall have access to a hard copy or online copy of the rules at every Executive Council and general meeting in order to make timely decisions and maintain the order of business for the meeting.

#### Section II — Order of Business

The following shall be the order of business at all Executive Council meetings and general meetings, unless it is suspended by a two-thirds vote of the members present at the meeting:

1. Call to order
2. Reading, correction and adoption of the minutes
3. Report of correspondence
4. Report of the treasurer
5. Reports of the standing committees
6. Unfinished business
7. New business
8. Program
9. Good of the order
10. Adjournment

## **ARTICLE XV**

### **RATIFICATION**

This Constitution and the amended Bylaws shall become effective and be in force upon ratification thereof by majority of the persons at the organization meeting of the Association. Any amendments or modifications must comply with the procedures outlined under Article Six of this document. Revision and amendment dates shall be recorded at the end of this document.

## **ARTICLE XVI**

### **QUORUM**

Twenty of the registered association members shall constitute a quorum for all meetings, except in case of contract ratification whereby the quorum shall be two-thirds of the active members of the Association. A quorum for all committee meetings shall consist of a majority of the committee.