

**HOWELL TOWNSHIP EDUCATION ASSOCIATION  
CONSTITUTION & BYLAWS**

Voted on 12/7/00 – Statutory Update received by Rep Council 2/12/2013

**CONSTITUTION**

**ARTICLE I: NAME AND INCORPORATION**

- SECTION 1: The name of this organization shall be Howell Township Education Association, Inc., hereafter referred to as the Association.
- SECTION 2: The Association shall be 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 501c(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.

**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.**

**ARTICLE II: AFFILIATION**

The Association shall be an affiliate of the Monmouth County Education Association, (MCEA), the New Jersey Education Association, (NJEA), and the National Education Association (NEA). 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 on the Association or NJEA due to actions taken independently by either.

**ARTICLE III: PURPOSES**

- SECTION 1: To form a representative body to speak with authority for the members.
- SECTION 2: To develop and promote the adoption of such personnel policies and standards of preparation and participation as mark a profession.
- SECTION 3: To work for the welfare of students, the advancement of education, and the improvement of instructional opportunities for all.
- SECTION 4: To advance professional rights and status and responsibilities of its members as educators.
- SECTION 5: 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 6: To establish cooperation between the educator and the community.
- 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: ACTIVE MEMBERS.
- A. Active membership in the Association shall be open to any person employed in the Howell Township Public School District, the qualifications for whose position are such as to require the member to hold an appropriate certificate issued by the New Jersey Board of Examiners and who holds such a certificate, (excluding administrative or supervisory personnel).
- B. Active members, where eligible, of the Association shall also be members of the Monmouth County Education Association, the New Jersey Education Association, and the National Education Association.
- SECTION 2: ASSOCIATE MEMBERS
- Persons employed in the Howell Township Public School District who are not eligible to become active members may, upon approval of the Representative Council and payment of dues, enroll as Associate Members with the right to vote and to have only

one (1) voice in all matters pertinent to this group.

SECTION 3: **RETIRED MEMBERS**  
Active members, upon retirement, may continue to enjoy all rights and services of active members, except the right to vote and the right to be elected to office, by payment of the annual dues as a retired member.

SECTION 4: **RIGHTS OF MEMBERSHIP**

- A. Every active member shall have the equal rights and privileges within the organization to nominate candidates for office; 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.
- B. No member shall be fined, suspended, expelled, or otherwise disciplined except for non-payment of dues, without being served with specific written charges and given a reasonable time in which to prepare a defense which may be asserted at a full and fair hearing before the Representative Council.
- C. 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.

**ARTICLE V: OFFICERS**

SECTION 1: The officers of the Association shall consist of a President, a First Vice-President, a Second Vice-President, a Corresponding Secretary, a Recording Secretary, and a Treasurer.

SECTION 2: **EXECUTIVE TERMS**

- A. The officers shall be elected in January and installed in February for a term of two years.
- B. Elections for the President, First Vice-President, and Recording Secretary shall be held in odd numbered years.
- C. Elections for Second Vice President, Recording Secretary, and Treasurer shall be held in even numbered years.

SECTION 3: **EXECUTIVE RECALL**

Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their office. Where an officer is guilty of misconduct, such officer may be removed for cause (shown after notice and a hearing) and by a majority vote of the members of the Association.

- A. Recommendation for recall may be made by the submission of a petition containing the signatures of 30% of the members to the Executive Committee.
- B. The Executive Committee, excluding the officer charged, shall notify in writing any officer who has been recommended for recall.
- C. Any officer may appeal in writing to the Executive Committee.
- D. The Executive Committee shall schedule hearings to review the recommendation of recall of any officer.
- E. The report of those hearings shall be made available to the membership.
- F. A general membership meeting shall be called two weeks after the issuance of the report.
- G. Such recall shall be determined by a majority vote of the membership taken by secret ballot.

SECTION 4: **Nothing in this Article shall be construed as precluding officers from succeeding themselves in office, if duly elected.** SECTION 5: **EXECUTIVE VACANCIES**

- A. In the event of vacancy in the office of the President, the First Vice-President shall become President and serve until the expiration of the term. In the event of vacancy in the office of the First Vice-President, the Second Vice-President will assume the office of the First Vice-President and serve until the expiration of the term.

- B. In the event of a vacancy in any office other than President, and the First Vice-President, the Representative Council shall appoint one of its members to fill the vacancy, serving until the expiration of the term.

**ARTICLE VI: EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the officers of the Association.

**ARTICLE VII: REPRESENTATIVE COUNCIL**

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

SECTION 2: The Representative Council shall consist of the Executive Committee, one representative from every ten (10) voting members or greater part thereof from each school faculty, and the chairperson of the standing committees, and one associate member representative.

SECTION 3: BUILDING REPRESENTATION

A. In each school building in the Howell Township School district, those persons who are members of the Association shall select for a term of two (2) years, one representative to the Representative Council for every ten (10) members or fraction thereof.

B. There shall be at least one representative from each building. Where more than one such representative is elected, one shall be designated, by the Building Representatives, as chief Faculty Representative. Elections shall be held in January and Faculty Representatives shall assume office at the February meeting of the Representative Council.

SECTION 4: The Chief Faculty Representative or designee shall call meetings of the Association members within their buildings to discuss Association business, appoint such building committees as the Association may require, and organize and oversee the subsequent elections of representatives, the enrollment of members, and two-way association communication within the building, including posting of agenda and minutes and all pertinent information on faculty bulletin boards.

SECTION 5: Any member of the Association who is not a member of the Representative Council may attend the meetings, shall sit apart from the voting body, but may receive permission to speak.

**ARTICLE VIII: AMENDMENTS**

Amendments to this Constitution may be made by a two-thirds majority of the active and associate members of the Association voting in a regular or special election called for this purpose, provided that:

- A. The amendments have been submitted in writing to the Recording Secretary of the Association.
- B. The Recording Secretary of the Association has distributed copies of the amendments to the members of the Representative Council.
- C. The Representative Council, by a majority vote, proposes to recommend such amendments to the general membership.
- D. The Recording Secretary of the Association has distributed copies of the amendments so proposed to all active members of the Association at least two (2) calendar weeks in advance of the election.

(Constitution ends, Bylaws begin)

HOWELL TOWNSHIP EDUCATION ASSOCIATION  
CONSTITUTION AND **BYLAWS**

**ARTICLE I: MEETINGS**

**SECTION 1: EXECUTIVE COMMITTEE**

The Executive Committee shall meet at the call of the President or at the request of any three (3) members of the Committee.

**SECTION 2: REPRESENTATIVE COUNCIL**

- A. The Representative Council shall normally meet on the second Tuesday of each school month at 3:45 p.m. The Executive Council shall prepare the agenda for each meeting and shall circulate it to all members of the council so that the Representatives have time to discuss it with their faculty members in advance of the Council meetings.
- B. Special meetings of the Representative Council may be held at the call of the President or upon written request to the Executive Committee or 10% of the Representatives. Business to come before special meetings shall be limited to items stated in the call, which shall be sent in writing to each Representative if time permits.

**SECTION 3: GENERAL MEMBERSHIP**

- A. The Executive Committee shall arrange at least one (1) meeting of the general membership each year.
- B. Special meetings of the membership may be called by the President, or upon request of one-quarter of the members for a specific purpose; but no business other than that for which the meetings is called may be transacted.
- C. At least one week prior to each general membership meeting, the Recording Secretary shall notify all members of the time and place of said meeting.

**SECTION 4:** The order of business at any Representative Council or General Meeting shall be as follows:

- A. Call to order
- B. Approval of minutes
- C. Correspondence
- D. Reports of Treasurer
- E. Reports of Standing Committees
- F. Reports of Special Committees
- G. Old Business
- H. New Business
- I. Good of the Order
- J. Adjournment

**ARTICLE II: QUORUM**

**SECTION 1:** A majority of the Executive Committee members shall constitute a quorum for the Executive Committee meetings.

**SECTION 2:** A majority of the Representative Council members shall constitute a quorum for the Representative Council Meetings.

**ARTICLE III: POWERS AND DUTIES OF THE OFFICERS**

**SECTION 1: PRESIDENT**

The President shall:

- A. Preside over all meetings of the Executive Committee, Representative Council, and General Membership.
- B. Appoint the chairperson and members of all standing committees and special committees with the approval of the Executive Committee not otherwise provided for in the Constitution and Bylaws.
- C. Be ex-officio a member of all committees.
- D. Sign vouchers as needed with the treasurer.
- E. Represent the Association before the public whether personally or through a designated representative.

- F. Perform all other functions usually attributed to the office.
  - G. Along with the Treasurer, sign all checks drawn upon the treasury
  - H. In absence of the treasurer, sign all checks.
  - I. Maintain a file pertinent to the office and duties of the position.
- SECTION 2: **FIRST VICE PRESIDENT**  
The First Vice President shall:
- A. Be an ex officio member of either the Negotiations or the Grievance committee at the discretion of the President.
  - B. Assume all duties of the President in his/her absence and work closely with one or more standing committees as the President may suggest.
  - C. Become President whenever the Presidency becomes vacant as provided for in Article V, Section 5 of the Constitution.
  - D. Sign vouchers as necessary for the Treasurer
  - E. Maintain a file pertinent to the office and duties of the position.
- SECTION 3: **SECOND VICE PRESIDENT**  
The Second Vice President shall:
- A. Be an ex-officio member of either the Negotiations or the Grievance committee at the discretion of the President.
  - B. Assume all duties of the President in his/her absence and work closely with one or more standing committees as the President may suggest.
  - C. Become President whenever the Presidency becomes vacant as provided for in Article V, Section 5 of the Constitution.
  - D. Sign vouchers as necessary with the Treasurer.
  - E. Maintain a file pertinent to the office and duties of the position.
- SECTION 4: **CORRESPONDING SECRETARY**  
The Corresponding Secretary shall:
- A. Be responsible for handling all correspondence for the Association.
  - B. As directed by the President and Executive committee, carry on the affairs of the Association.
  - C. Shall maintain the official correspondence files
  - D. Shall be responsible to oversee the publishing of the Association newsletter at least four times a year, and as further decreed necessary by the Executive Committee.
  - E. Sign vouchers as necessary with the treasurer.
- SECTION 5: **RECORDING SECRETARY**  
The Recording Secretary shall:
- A. Keep accurate minutes of all Executive Committee, Representative Council, and General Membership meetings.
  - B. Distribute minutes to all members within fourteen (14) days following the Representative Council and General Membership meetings.
  - C. Distribute copies of all proposed amendments to the Constitution as prescribed in Article VIII.
  - D. Notify the appropriate members as to the time and place of the Executive Committee, Representative Council and General Membership meetings at least seven (7) calendar days prior to meetings.
  - E. Be responsible for maintaining membership rolls and records.
  - F. Sign vouchers as necessary with the treasurer.
  - G. Maintain files pertinent to the office and duties of the position.
- SECTION 6: **TREASURER**  
The Treasurer shall:
- A. Deposit all monies in a bank in the name of the Association.
  - B. Notify NJEA of the name of the bank in which dues are deposited.
  - C. Hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President, or in his/her

- D. absence, another officer of the Executive Committee.  
Sign all checks along with the President.

- E. Report at each meeting of the Executive Committee, Representative Council and General Membership.
- F. Prepare an annual financial statement for distribution to all members.
- G. Prepare and file the appropriate Federal and State forms for audit.
- H. Chair the Budget Committee.
- I. Be bonded for such amount as may be determined by the Executive Committee from time to time.
- J. Sign all orders for which a voucher has been submitted.

**ARTICLE IV: POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE**

- SECTION 1: Executive Committee consists of the President, First Vice President, Second Vice President, Recording Secretary, Corresponding Secretary, and Treasurer, and shall:
- A. Be responsible for the management of the Association.
  - B. Authorize all expenditures within the limits of the budget.
  - C. By a two-thirds vote authorize the spending of money for non-budgeted items not to exceed \$500 in any one case. Disbursements in excess of \$500 must have the approval of a majority of the Representative Council.
  - D. Propose policies for consideration by the Representative Council.
  - E. Execute policies established by the Representative Council.
  - F. Cause to be reported to the members, its transactions and those of the Representative Council.
  - G. Establish such special committees as may be necessary.
  - H. Set the agenda for the Representative Council and all General Membership meetings,
- SECTION 2: In the event of vacancy in the office of the President, the First Vice-President shall become President and serve the remainder of the term.

**ARTICLE V: POWERS AND DUTIES OF THE REPRESENTATIVE COUNCIL**

- SECTION 1: REPRESENTATIVE COUNCIL  
The Representative Council shall:
- A. Approve the budget
  - B. Approve the dues of the Association upon the recommendation of the Executive Committee.
  - C. Act on reports of committees.
  - D. Establish the policies of the Association
  - E. Adopt the rules for governing the conduct of meetings as are consistent with this Constitution and Bylaws and Roberts Rules of Parliamentary Procedure.
  - F. Be the final judge of qualifications and elections of officers, executive committee members and faculty representatives.
  - G. Adopt rules governing the conduct of the Association.
- SECTION 2: Powers not delegated to the Executive Committee, the officers, or other groups in the Association shall be vested in the Representative Council.

**ARTICLE VI: COMMITTEES**

- SECTION 1: STRUCTURE  
There shall be standing committees carrying the specific functions listed below. They shall be composed of members selected to be broadly representative of all members, and appointed for overlapping terms of two (2) years.
- SECTION 2: APPOINTMENT:  
The President, with the advice and consent of the Executive Committee, should appoint the chairperson of a standing committee at a regular meeting of the Representative Council and fill all unexpired terms as the vacancies occur.

**SECTION 3: MEETINGS**

Each standing committee shall meet according to a calendar developed by the committee. This calendar is to be submitted to Representative Council at the October meeting.

**SECTION 4: REPORTS**

- A. Each committee shall select a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Executive Committee, Representative Council and the general membership.
- B. If the chairman is not present for the Executive Committee or Representative Council meeting, a written report shall be submitted at the appropriate times.

**SECTION 5: COMMITTEE TITLES AND DUTIES**

- A. The Negotiations Committee, under the direction of the chairperson, shall survey the members and prepare a proposed package to be negotiated with the Board of Education by the Association's negotiating team in all areas of member welfare and general working conditions. The committee shall consist of representatives of the membership. The negotiating chairman shall submit a list of committee members to the Representative Council prior to onset of negotiations.
- B. The Grievance Committee, under the direction of the chairperson, shall explore and prepare programs for securing satisfactory policies for the redress of grievances. It shall process all grievances filed in accordance with the Agreement and policies adopted by the Association. It shall advise the Executive committee in situations involving the defense of individual rights.
- C. The Academic Council shall serve the Association as monitor and initiator of the classroom teachers' input to positive programs of instruction for the schools. It shall serve as a representative of teachers to a school district's Academic Council where such a vehicle exists by contract. The Academic Council shall investigate recommended changes in instructional programs for effects such programs may have on the professional educator. It should report its findings or curriculum developments directly to the Executive Committee and Representative Council.
- D. The Membership Committee shall consist of a chairman and the Chief Faculty Representative of each building and shall organize and conduct membership enrollment. Its members shall attempt to enroll cash members, new employees and former non-members enrolled for the current school year. It shall communicate with members on Automatic Payroll Deduction to return by direct mail any corrections in their annual membership cards in the mail. The Membership Chairperson shall be responsible for the collection of all dues. Membership chairperson shall transmit appropriate NJEA-NEA dues money to NJEA no later than ten (10) days after its receipt by the Association from the Board of Education. No monthly report will be required unless requested by the Executive Committee.
- E. The Social Committee shall organize such social activities as may serve the needs of members and promote rapport within the Association.
- F. The Legislative Committee shall have broad concern for State and National legislation affecting the interest of the Association. It shall inform members about newly proposed and enacted legislation, encourage members to exercise their responsibility to vote and their right to participate in political activity.

**SECTION 6: SPECIAL COMMITTEES**

- A. Each year, the President shall appoint with the approval of the Representative council, a Nominating Committee and shall disband it upon completion of its duties.
- B. The Budget Committee shall propose to the Representative Council for action a budget from the Association each year. Members of the Budget Committee shall have full and complete access to all financial and other records of the Association pertinent to the preparation of the annual budget. It shall consist of



the Treasurer and other volunteers. The budget shall be approved by 2/3 vote of the Representative Council. The Committee shall meet in March to prepare the budget. They shall present copies of the proposed budget at the April Representative Council meeting. It shall be the responsibility of the representative of the respective buildings to present and discuss the budget with their faculty and to have a vote taken. The representatives shall report the results of the voting at the May Representative Council meeting.

- C. Public Relations and Communications committees shall seek to develop public understanding of the programs of the Association. It shall develop procedures by which the Association can present material through newspapers, radio, television, and other mass media; and work cooperatively with the public in civic, fraternal, and social organizations.

**ARTICLE VII: ELECTIONS**

**SECTION 1: NOMINATIONS**

- A. The President, subject to the approval of the Representative Council at its October meeting, shall appoint a Nominating Committee Chair yearly. The Chair must be a member of the Representative Council. This member may not be an executive officer. At the November Representative Council meeting, building members will be assigned to the committee. There must be one member from each building to serve on the nominating/election committee. Those members may not be members of the Representative Council.
- B. The Nominating Committee shall make its recommendations to the Representative Council at its December meeting.
- C. Committee members shall present the nominations to the members of their respective buildings. They shall also post the names of the nominees on their respective faculty bulletin boards in December.
- D. Any additional names may also be placed in nomination upon presentation of petitions signed by ten (10) percent of the active members of the Association, within fourteen (14) days of this meeting to the chairperson of the Nominating Committee or his designee.
- E. The Nominating chairperson, within one (1) school day, shall convey to each committee member any new nominations received by petition, so that they may be posted on the faculty bulletin boards with the other candidates.

**SECTION 2: VOTING**

- A. The Nominating Committee, upon approval of the Representative Council, shall serve as the Elections committee.
- B. Representative Council shall determine the January date of the election. Members shall vote for officers by secret ballot, in accordance with procedures developed by the elections committee and approved by the Representative Council.
- C. The Elections Committee shall report the results to the President, who shall cause them to be published.
- D. The Officers-elect shall be installed at the February meeting of the Representative Council.
- E. A member of the Election Committee shall immediately report the results of the election of officers to MCEA, NJEA, and NEA.

**ARTICLE VIII: FISCAL YEAR**

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

**ARTICLE IX: AUTHORITY**

Amendments to these Bylaws may be made by a two-thirds majority of the active and associate members of the Association voting in a regular or special election called for this purpose, provided that:

- A. The amendments have been submitted in writing to the Recording Secretary of the Association.
- B. The Recording Secretary of the Association has distributed copies of the amendments to all members of the Representative Council.
- C. The Representative Council, by a majority vote, proposes to recommend said amendments to the general membership.
- D. The Recording Secretary of the Association has distributed copies of the amendments so proposed to all active members of the Association at least two (2) calendar weeks in advance of the election.

**END HERE**