

CONSTITUTION AND BYLAWS
FOR THE
WESTMONT HILLTOP EDUCATION ASSOCIATION

2004

The constitution and bylaws are the governing documents of a local association. When separate, the constitution sets forth the powers and duties of the elected leadership and the rights of members. Generally, it should not be easy to amend the constitution; it withstands major change. Bylaws deal more with the daily operation of the local and may change as circumstances change.

As a condition of affiliation, PSEA requires that each local association's constitution and bylaws comply with the PSEA Constitution and Bylaws. Key provisions are required for compliance with PSEA and/or law. For other provisions, the language need only be consistent with PSEA. Alternatives are provided where appropriate.

ARTICLE I. NAME

The name of this Association shall be the Association/PSEA/NEA (hereinafter referred to as "Association").

ARTICLE II. PURPOSE

The purpose of the Association shall be to promote educational welfare, to protect and advance the interests of its members, to foster professional zeal and to advance educational standards.

ARTICLE III. MEMBERSHIP CATEGORIES

- A. Membership in the Association may consist of active membership and such other types of membership as provided in the Association's Bylaws. All members shall subscribe to the purpose of the Association and PSEA as set forth in the Constitution and Bylaws.
- B. Active membership shall be available to persons actively employed by the Westmont Hilltop District and in the bargaining unit represented by the Association.
- C. All rights, title, and interests of a member in and to the property of the Association shall end upon termination of membership.

ARTICLE IV. ELECTION OF OFFICERS

- A. The officers of the Association shall be the President, Vice-President, Treasurer, Secretary and Past-president who shall participate as voting members of the Representative Council. Only active members of the Association may hold these offices or vote in the election of officers.
- B. The officers shall each serve for a term of one year, which shall run from September 1 following the election.
- C. A vacancy in the office of President shall be filled by the Vice-President until the next regularly scheduled election. A vacancy in any other elected office shall be filled by appointment by the Representative Council until such time as a special election can be held, which shall be within the next two months. If a vacancy occurs within two months of the next regularly scheduled election, the vacancy shall be filled by appointment until the next regularly scheduled election.
- D. 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

An officer of the Association may be recalled from office by a two-thirds vote of the entire membership of the Association. Recall shall be initiated by a recall petition signed by twenty-five percent of the membership.

ARTICLE VI. DELEGATES TO THE REGION AND STATE LEVELS

- A. The elected officers of the Association shall serve as Delegates to the Region and PSEA House of Delegates.
- B. Additional delegates shall be elected at the same time as officers are elected, through open nomination, by secret ballot, by majority vote, and in conformity with the one-person one-vote rule. Only active members of the Association may hold these offices or vote in the election of delegates.
- C. Delegates shall each serve for a term of one year, which shall run from September 1 following the election
- D. Any vacancy shall be filled by appointment by the Representative Council until such time as a special election can be held, which shall be within the next two months. If the vacancy occurs within two months of the next regularly scheduled election, the vacancy shall be filled by appointment until the next regularly scheduled election.

ARTICLE VII ELECTION OF REPRESENTATIVE COUNCIL MEMBERS

- A. The Representative Council shall consist of the officers and 2 faculty representatives from each building in the District. Only active members of the Association may hold these offices or vote in the election of faculty representative. Committee chairs may sit on the Representative Council but without vote.
- B. The Representative Council shall meet at least once a month from September through June at a time and place designated by the President.
- C. Faculty representatives shall be elected through open nominations, by secret ballot, by majority vote, and in conformity with the one-person one-vote rule, provided however that there shall be at least one faculty representative from each building.
- D. Faculty representatives shall each serve for a term of one year, which shall run from September 1 following the election.
- E. Any vacancy shall be filled by appointment by the Representative Council until such time as a special election can be held, which shall be within the next two months. If the vacancy occurs within two months of the next regularly scheduled election, the vacancy shall be filled by appointment until the next regularly scheduled election.

ARTICLE VIII. PROPORTIONAL REPRESENTATION

The composition of the Representative Council shall reflect ethnic minority representation in proportion to the Association's ethnic minority membership.

ARTICLE IX. AFFILIATION PROVISION

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.

ARTICLE X. MEMBERSHIP YEAR

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

ARTICLE XI. COMPLIANCE PROVISION

- A. This Association's Constitution and Bylaws shall conform to and be consistent with the Constitution and Bylaws of PSEA.
- B. The Association adopts the PSEA Code of Ethics of the Education Profession.

ARTICLE XII. MEMBERSHIP MEETING DATES

- A. There shall be at least two general meetings of the Association's membership each year. The President shall set the time and place of each meeting. At least two week's notice shall be given to the membership of the meeting.
- B. A special meeting of the membership may be called at any time by a majority vote of the members of the Representative Council. At least one week's notice must be given to the membership of the meeting.

ARTICLE XIII. NON-PROFIT STATUS

This association is not organized for profit and no part of its earnings shall insure to the benefit of any private member or individual.

ARTICLE XIV. NON-GOVERNING BODIES

- A. The association shall have the following non-governing bodies: A Grievance Committee, a Negotiations Committee, and any other standing committees to be established by the Representative Council. Members of the committees and committee chairs shall be appointed by the President with the approval of the Representative Council. The committees shall operate consistent with policies and practices established by the Representative Council, and shall be of terms and durations established by the Representative Council.
- B. Any Committee member may be removed from his or her committee position for gross negligence or conduct inconsistent with the Association's objectives by a two-third's vote of all members of the Representative Council.

ARTICLE XV. AMENDMENTS

- A. This constitution may be amended by a two-thirds vote of the entire membership of the Association. Any amendment must be proposed with the endorsement of the majority of the entire Representative Council or with the written endorsement of at least ten percent of the Association's membership.
- B. Notification of any proposed amendment to the Constitution shall be provided to the membership no less than two weeks prior to any vote occurring on such amendment.

ARTICLE XVI. BYLAWS

Bylaws not inconsistent with this constitution may be adopted by a majority of the membership voting at any membership meeting.

WESTMONT HILLTOP EDUCATION ASSOCIATION BYLAWS

ARTICLE I. ASSOCIATION OBJECTIVES

The objectives of this Association shall be as follows:

- A. To protect and advance the Association's organizational security;
- B. To improve the structure of the Association in order to ensure full and effective participation of all members, thereby establishing and maintaining an independent, self-governing organization;
- C. To promote continuous improvement of instruction and curriculum;
- D. To promote and to protect the rights and welfare of its members;
- E. To advance professional rights and to enhance professional responsibilities in order to further the consistent development and improvement of the profession and its practitioners;
- F. To work among the citizenry for broad support of education and for improved attitudes toward the profession;
- G. To secure adequate financial support for public education;
- H. To promote the responsibilities and welfare of all students;
- I. To assist each student in realizing his or her maximum potential;
- J. To develop and provide leadership in solving problems.

ARTICLE II. MEMBERSHIP CATEGORIES

- A. Active membership shall be available to any person actively employed by the Westmont Hilltop School District.
- B. Reserve membership is available to any active member who is on unpaid leave from the District or who is challenging his or her involuntary termination from employment.
- C. Retired membership is available to any person formerly employed by the District and represented by the bargaining unit at the time of retirement or resignation.

D. Substitute membership is available to any person working as a day-to-day teacher substitute in the District.

E. Association membership is available to community members who are interested in education and promoting the Association's objectives.

ARTICLE III. MEMBERSHIP DUES

The Representative Council shall annually set the membership dues of the Association.

ARTICLE IV. POWERS AND DUTIES OF EACH OFFICER

A. The President shall have the following powers and duties:

1. To represent the Association as spokesperson on policy matters;
2. To serve as chairperson of the Representative Council;
3. To prepare an agenda for each Representative Council meeting;
4. To serve as an ex-officio member without vote on all committees;
5. To report at each meeting of the Representative Council as to his or her activities;
6. To serve as chair of the Representative Council;
7. To sign jointly with the Treasurer for any disbursement from the association's funds;
8. To nominate the members of all Association committees and appoint committee chairs;
9. To perform such functions as may be approved by the Representative Council or which are customarily performed by the president of an association including the right to delegate certain duties to the officers.

B. The Vice-President shall have the following powers and duties:

1. To perform the duties of the President in the absence of the President;
2. To perform such duties as are delegated by the President;

- C. The Treasurer shall have the following powers and duties:
1. To serve in the preparation of the Association's annual budget;
 2. To receive all monies of the Association and to pay out the same upon order of the Representative Council;
 3. To report to the Representative Council all Association receipts and disbursements;
 4. To ensure that an audit of the Association's books and records is conducted each year. The audit will be performed each year by an outside accountant or by an audit committee consisting of three members who are familiar with proper accounting procedure.
 5. To perform such other duties as may be assigned by the Representative Council.

- D. The Secretary shall have the following powers and duties:
1. To keep accurate minutes of all meetings of the Executive Board, Representative Council and general membership meetings;
 2. To prepare such minutes for reproduction and distribution;
 3. To maintain official files;
 4. To assist the President with association correspondence;
 5. To perform any other duties as prescribed by the representative council.

- E. The Immediate Past-president shall have the following powers and duties:
1. To serve in an advisory capacity to the Executive Committee and Representative Council.
 2. To work closely with one or more of the standing committees as the President may suggest.

ARTICLE V. POWERS AND DUTIES OF THE REPRESENTATIVE COUNCIL

- A. The Representative Council shall have the following powers and duties;
1. To initiate general policies of the Association;

2. To approve the Association's budget and the filling of vacancies;
3. To set the Association dues;
4. A majority of the Representative Council shall constitute a quorum sufficient for conducting the business of the Association unless otherwise specified in these documents.

ARTICLE VI. FACULTY REPRESENTATIVES

- A. The faculty representatives shall have the following powers and duties:
 1. To call meetings of Association members in their buildings to discuss Association business;
 2. To investigate and respond to member complaints;
 3. To assist in enrolling members in the Association;
 4. To serve as a communication link between members and the Representative Council;
 5. To establish such committees in the building as are necessary.
- B. Any faculty representative who is absent from two regularly scheduled Representative Council meetings in any year may be removed from office by the Representative Council, which shall fill the vacancy as provided in the Constitution.
- C. Faculty representatives shall be elected by the active members of the Association in conformity with procedures developed by the Representative Council.

ARTICLE VII. NON-GOVERNING BODIES

- A. Negotiations Committee – This Committee shall review all economic and non-economic issues in preparation for bargaining; prepare a survey to be completed by members regarding their positions and interests; and develop a proposed package for negotiations with the District. The Negotiations Committee will select the members of the Negotiation Team from among the members of the Committee.
- B. Grievance Committee – This Committee shall assist and advise grievants; process grievances through all steps short of arbitration, and shall adopt a formal grievance procedure for use by the local

- C. Membership Committee – This Committee shall organize and conduct the membership campaign and shall work with the faculty representatives in promoting membership. The Committee shall develop a new teacher orientation program.
- D. Public Relations Committee – This Committee shall seek to develop public understanding of the purposes and programs of the Association. It shall assist the Association in working cooperatively with parents and civic and social organizations. The Committee shall be responsible for the Association newsletter and public relations with the press, radio, and television. It shall assist in promoting American Education Week. The Committee shall also assist in developing Membership Promotion Materials.
- E. Legislative Committee – This Committee shall have concern for and keep abreast of local, state, and national legislation affecting the interests of the Association and its members. It will also make legislative contacts as requested by the state or national organization. It will assist in obtaining membership contributions to PACE, in the registration of voters, and in general assist in the passage of legislation favorable to the Association.
- F. Council on Instruction and Professional Development – This Council shall promote the education objectives of the Association, assist in locating in-service programs and programs for professional development, and assist the District, students, parents and other interested parties in improving the District’s educational program.
- G. Intergroup Relations Committee – 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; that the Association’s program is relevant to and cognizant of the needs of its minority members.
- H. Professional Rights and Responsibilities Committee – This Committee shall assist in informing members as to the PSEA Code of Ethics and shall provide assistance to the local regarding controversies and conflicts. It shall assist local members upon request regarding possible violations of the PSEA Code of Ethics.
- I. Social Committee – This Committee shall organize social activities for the welfare of members and to promote fellowship in the Association.
- J. Elections Committee – A Committee on Elections appointed by the president, with the approval of the Executive Committee, shall conduct the election of

officers and faculty representatives by secret ballot on the last school day in April. A slate of candidates shall be prepared by the Committee, presented to the Executive Committee, and posted for the general membership at least 15 days before the election. There shall be open nominations for each elected office in the Association. A winning candidate must receive a majority of the votes cast for that office. The committee on Elections shall report the results of the election to the President, who shall cause them to be published.

ARTICLE VIII. GENERAL MEMBERSHIP

- A. The general membership shall have the following powers and duties:
 - 1. To elect and recall officers of the Association;
 - 2. To ratify collective bargaining agreements negotiated by the Association, according to the procedure provided herein;
 - 3. To give direction to the Representative Council on matters concerning the Association members.
- B. A majority of members present shall constitute a quorum for purposes of acting on Association business unless otherwise specified in this Constitution and Bylaws. Members will be reminded that a two-thirds vote of a quorum may not necessarily constitute the views of a majority.

ARTICLE IX. PARLIAMENTARY AUTHORITY

Robert's Rules of Order shall be the parliamentary authority for the Association on all questions not covered by this Constitution and Bylaws or by rules of procedure adopted by the Representative Council.

ARTICLE X. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT

- A. Active and reserve members of the association who were members of the Association on September 1 may vote on the ratification of a collective bargaining agreement.
- B. There will be at least one informational meeting prior to the vote, to be held within 48 hours before the ratification vote.
- C. Each member attending the information or ratification meeting will receive a copy of the proposed changes to the current contract or the proposed contract itself. All copies are returned at the conclusion of each meeting.

D. Procedural requirements for conducting the informational meeting should include the following:

1. The Negotiations Chairman or his designee will conduct the meeting;
2. All attendees will sign-in;
3. Bargaining team members will explain the proposal;
4. Members will have the opportunity to ask questions for clarification;
5. The merits of the proposed contract will be deferred until the ratification meeting;
6. Attendees will be instructed that there are to be no press releases or outside public discussions of the proposed contract;
7. A direction of the procedure to be used at the ratification meeting will be explained.

E. Procedural requirements for the ratification meeting, which should include the following:

1. The Negotiations Chairman or his designee will conduct the meeting;
2. All attendees will sign in;
3. An opportunity to ask final questions will be open to all attendees;
4. A discussion of each article as it appears in the proposed contract will be discussed within the time-frame of the meeting;
5. The Negotiations committee will make recommendations for the ratification of the contract;
6. The ratification vote will be by secret ballot;
7. The person who is responsible for collecting and tabulating the votes will be identified;
8. There will be a majority vote of those present in order to adopt the proposed contract;
9. Discussion will be made as to whether proxies are acceptable;

10. The President or other identified individuals will make press releases or public statements;
11. In the event that the proposed contract is not ratified, a period of discussion and follow-up for an action plan will be discussed.