



# BURLINGTON COUNTY EDUCATION ASSOCIATION

# CONSTITUTION & BYLAWS

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# BURLINGTON COUNTY EDUCATION ASSOCIATION

## **ARTICLE I: Name**

1. Section 1:
  - a. The name of the Association shall be the Burlington County Education Association, Incorporated, hereafter referred to as the Association.
2. Section 2:
  - a. The Association shall be incorporated as a non-profit corporation under Title 15A, 2-8 New Jersey Domestic Nonprofit Corporation Act.
3. Section 3:
  - a. 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 exempt letter.

## **ARTICLE II: Affiliation**

1. The Association shall be an affiliate of the New Jersey Education Association, and the National 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 on the Association or NJEA due to actions taken independently by either.

## **ARTICLE III: Purpose**

1. Section I:
  - a. To work for the welfare of children, the advancement of education, and the improvement of instructional opportunities for all.
2. Section 2:
  - a. To be a source of advice, help, encouragement, information, and cooperation for the local affiliated associations within the county.
3. Section 3:
  - a. To serve as an agency for legislative activity, advice and study in cooperation with the New Jersey Education Association and the National Education Association.



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4. Section 4:
  - a. To provide the opportunity for discussion and exchange of ideas concerning educational issues.
5. Section 5:
  - a. To organize educational workshops and conferences.

## **ARTICLE IV: Membership**

1. Section I:
  - a. Active Members. The term Active Member shall refer to Active Certificated and Active Non-Certificated members.
2. Section 2:
  - a. Active Certificated Members. Any person (1) who is regularly employed in a professional education capacity in a public school, college, university, institution, or agency operating under the laws of the State of New Jersey, and (2) who if in a position which requires a certificate issued by the State Board of Examiners, holds such a certificate or if now in a position which requires such certificate, holds an earned bachelor's degree and (3) where eligible, is a member of the appropriate affiliated local association and the New Jersey Education Association, by payment of the annual dues. Active Certificated Members shall have the right to vote, hold office, and receive services of the Association.
3. Section 3:
  - a. Active Non-Certificated Members. Any person employed in other than a professional capacity in a public or State school, college, university, or other institution or agency operating under the laws of the State of New Jersey may become an Active Non-Certificated Member of this Association by payment of the annual dues. Active Non-Certificated Members shall have the right to vote, hold office, and receive services of the Association.
4. Section 4:
  - a. Rights of Members:
    - i. Every 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



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meetings except that in voting on contract ratification only members in the appropriate unit of representation shall have the right to vote.

- ii. Every member shall have the right to meet and assemble fully with the 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.
- iii. No member shall be fined, suspended, expelled or otherwise disciplined except for nonpayment 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.

## 5. Section 5:

### a. General Members:

- i. Any person engaged in any professional education capacity in New Jersey other than those specified in Section I. may become a General Member of this Association by payment of the annual dues. General Members shall receive such services as the Representative Council shall determine.

## 6. Section 6:

### a. Retired Members:

- i. Active members upon retirement may continue to enjoy all rights and services including the right to vote, but may not hold an elected office. Membership will be determined by payment of annual dues.

## 7. Section 7:

### a. Code of Ethics:

- i. All members shall be expected to follow the code of ethics and other such reasonable standards of conduct as established by the New Jersey Education Association and the National Education Association.
- ii. Failure to meet with the standards as designated by the above organizations shall result in suspension of active membership.
- iii. Members shall have the right to a hearing before the Executive Committee to contest suspension.



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## **ARTICLE V: Officers**

1. The officers of the Association shall be a President, a First Vice-President, a Second Vice President, a Secretary, and a Treasurer.

## **ARTICLE VI: Executive Committee**

1. Section I:
  - a. The Executive Committee shall consist of the officers, the immediate past-president who shall serve for two years, the NJEA Executive Committee member, the members and alternates of the Delegate Assembly, chairpersons of the BCEA Standing Committees and subcommittees, and NJEA Committee Members.
2. Section 2:
  - a. Duties of the Executive Committee.
    - i. The Executive Committee shall transact the business of the Association, propose policies in accordance with the aims of the organization, authorize expenditures within the limits of the budget fill vacancies in the office of the Vice-Presidents, Secretary and Treasurer until the next annual election.
3. Section 3:
  - a. All members of the BCEA Executive Committee shall have the right to vote at all Executive Committee meetings.

## **ARTICLE VII: Representative Council**

1. Section I:
  - a. The Representative Council shall be made up of representatives selected directly by their local associations. Representation shall be a minimum of one per unit or at a ratio of one representative for each 50 members or majority portion thereof.
  - b. Members of the Burlington County Retired Education Association who elect to pay dues to BCEA through their group may be represented on the Representative Council at a ratio of one representative for each 100 members.



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## 2. Section 2:

- a. Duties of the Representative Council. The Representative Council shall meet to (1) determine Association policies, (2) approve budget, (3) receive and act upon reports of officers, Executive Committee, and all other committees, (4) to act as liaison to respective locals and (5) act as final arbiter for any election disputes.

## 3. Section 3:

- a. In the absence of a voting member, an alternate or proxy may represent that local affiliate provided said alternate/proxy has been selected by the local affiliate president and the Burlington County leadership has received notification of such authorization.

## **ARTICLE VIII: Elections**

### 1. Section I.

#### a. Nominations.

- i. The Executive Committee, by February 15th of each year, shall appoint a nominating committee which shall conform in number and representation to the standards established by the NJEA Elections Committee for the nomination of County representatives to NJEA offices.
- ii. The nominating committee shall name one or more candidates for each BCEA office to be filled that year.
- iii. Commencing in 2018, the nominating committee, in even-numbered years, shall make nominations for President and 2nd Vice-President; and, in odd-numbered years, make nominations for 1st Vice President, Secretary and Treasurer.
  1. In the 2018 election cycle, the 1st Vice President's term will be for the duration of one year for alignment with term cycles of the Secretary and Treasurer..
  2. All subsequent elections shall be for 2 year terms.
- iv. The nominating committee shall announce the candidates to the Representative Council at its February or March meeting.



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1. Section 2:
  - a. Petitions.
    - i. Additional names for each office may be place in nomination by securing the signatures of at least 25% of the members of the Representative Council on a nominating petition.
    - ii. Additional names for each office may also be placed in nomination by securing at least 50 signatures of active members of BCEA from at least 3 locals in the County.
2. Section 3:
  - a. The Executive Committee shall direct brief information on each candidate be published for members.
3. Section 4:
  - a. Voting.
    - i. Voting shall take place in such a manner as determined by the county election procedures established by the New Jersey Education Association.
    - ii. The President shall cause the results of the election to be published.
4. Section 5:
  - a. Mid-term Appointment of Officers:
    - i. In the event that an office vacancy exists and a mid-term appointment is needed to fill that vacancy, notification of such vacancy will be sent in writing to all local presidents, Executive Committee members, and Representative Council members at least 2 weeks prior to the Friday before the next regularly scheduled Executive Committee meeting.
    - ii. The Executive Committee shall appoint by either:
      1. If only one resume is received, the Executive Committee will appoint that candidate.
      2. If more than one resume is submitted to the Executive Committee, following the candidates' 3-minute speeches, the committee will discuss the resumes and qualifications of all candidates at that regular monthly Executive Committee meeting. Then members of the Executive Committee who have voting rights will appoint, at that meeting, one of those candidates by secret ballot.



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## **ARTICLE IX: Committees**

1. Section 1:
  - a. Standing Committees:
    - i. The President shall be empowered to appoint all such committee chairpersons with the advice and consent of the Representative Council.
    - ii. The President may make interim appointments pending approval of the Representative Council at its first meeting after such interim appointment.
2. Section 2:
  - a. Other Committees:
    - i. The President shall be empowered to appoint all other committees as may be necessary to carry on the business of the Association.

## **ARTICLE X: Quorum and Rules of Order**

1. Section I:
  - a. A quorum for the transaction of business of the Representative Council shall consist of 30% of the members of said council.
2. Section 2:
  - a. A quorum for the transaction of business of the Executive Committee shall consist of a majority of members of said committee.
3. Section 3:
  - a. A quorum for the transaction of business of any committee shall consist of a majority of its members.
4. Section 4:
  - a. Robert's Rules of Order shall govern all meetings of the Association insofar as they are not inconsistent with its Constitution and By-Laws.





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## **ARTICLE XI: Trustees**

1. Section I:
  - a. There shall be five trustees to fulfill the requirements of incorporation in the State of New Jersey.
2. Section 2:
  - a. The trustees shall be the officers of the Association.

## **ARTICLE XII: Affiliation**

1. The Association is a unified affiliate of the NJEA-NEA under the rules of those associations.

## **ARTICLE XIII: Amendments**

1. This constitution may be altered or amended by a two-thirds vote of the Representative Council members present at a regular meeting provided the proposed alteration or amendment shall have been electronically shared with all members via multiple means. Multiple means may include but shall not be limited to, email Association Presidents, email Association Representatives, BCEA social media and BCEA website, at least thirty days prior to the date of final action.



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## **BY-LAWS OF THE BURLINGTON COUNTY EDUCATION ASSOCIATION**

### **1. DUES:**

- a. The annual dues for each category of membership shall be set by the Representative Council with consideration given to the recommendations of the Executive Committee. Notification will be provided electronically to local associations for dissemination.

### **2. TERM OF OFFICE:**

- a. The officers of the Association shall assume the duties of their offices on June 15 following their election, and shall hold office within their terms as long as they ethically perform the duties of their office and until their successors take office. The length of term of office shall be two years for each officer.

### **3. DUTIES OF THE OFFICERS.**

#### **a. President:**

- i. The President shall call meetings of the Executive Committee and Representative Council and shall preside at all such meetings.
- ii. The President shall, in collaboration with other officers, assign duties and roles for other officers.
- iii. The President, or designee, shall sign all checks, along with the Treasurer, drawn on Association accounts.
- iv. The President shall be an ex-officio member of all committees and perform such other duties as they evolve.
- v. In the absence of the the President, The First Vice-President shall perform all the duties and enjoy all the privileges of that office. In the absence of President and the 1st Vice-President, The Second Vice-President shall perform all the duties and enjoy all the privileges of that office.
- vi. Should the office of President become vacant, the order of succession shall be First Vice-President followed by the Second Vice-President.



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- vii. In the event of vacancies in all of these positions, the Secretary will call an emergency meeting of the Executive Committee to elect pro-tem officers as per Article V, Section 2 of the Constitution.

**b. Vice-Presidents:**

- i. The First Vice-President shall serve as the external Vice-President and shall be responsible for communications and activities outside the county.
- ii. The Second Vice-President shall serve as the Internal Vice-President and shall be responsible for communications and activities within the county.
- iii. Vice-Presidents will be assigned as ex-officio members to committees related to their area of responsibility.

**c. Secretary:**

- i. The Secretary shall keep all minutes of the meetings of the Representative Council and of the Executive Committee, and shall keep an accurate list of schools and their designated number of representatives to said council.

**d. Treasurer:**

- i. The Treasurer shall collect, deposit, and disburse the funds of the Association subject to the directions of the President, the Executive Committee, and the Representative Council.
- ii. The Treasurer shall sign all checks, along with the Treasurer, drawn on Association Accounts.
- iii. The Treasurer shall render an annual financial statement to the Executive Committee for recommendation to the Representative Council. The books of the Association shall be open for inspection at any time, and shall be audited each year by the Budget and Finance Committee.
- iv. The Treasurer shall also present a written financial statement at each Representative Council meeting.

#### **4. EXPENDITURE POLICY:**

**a. Appropriations:**

- i. All expenditures above two hundred dollars (\$200.00) must be approved by the Representative Council
- ii. The Executive Committee may transfer an amount of budgeted line item of two hundred dollars (\$200.00) or less to another budgeted line item and shall be brought to the attention of the Representative Council.

**b. Expenditures of BCEA Officers.**

- i. An allowance for travel, conference expenses, mailing, and miscellaneous expenses will be set by the budget for each officer. Any expenses not related directly to BCEA business shall not be paid.



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- ii. Under no circumstances will any personal expenses be charged on a BCEA credit card.

## **c. Final Bill Approval**

- i. Bills or expenses incurred by the Burlington County Education Association or members of the Executive Committee in execution of duties will be presented to the President and Treasurer for approval and payment.

## **d. Vouchers**

- i. The President or any other officer shall not approve his/her own vouchers. The President's vouchers shall be approved by the Treasurer and the First Vice-President.
- ii. The Treasurer's vouchers shall be approved by the President and the First Vice-President.
- iii. Any questionable bills or vouchers shall not be paid until approved by the Executive Committee at its next regularly scheduled meeting.
- iv. Should the Executive Committee not approve payment of the voucher, then the claimant may appeal to the Representative Council. The decision of the Representative Council shall be final.
- v. The voucher format shall be one approved by the Representative Council and, where applicable, receipts shall be attached.

## **5. MEETINGS:**

### **a. Representative Council:**

- i. There shall be at least five Representative Council meetings during each school year.
- ii. Special meetings may be called by the President or by a majority vote of the Executive Committee.
- iii. Local association Presidents and the members of the Representative Council shall be notified of special meetings at least forty-eight hours in advance of said meeting.

## **6. VOTING RIGHTS.**

- a. The Association guarantees to its membership the following:
  - i. Every active member has equal rights and privileges within the organization to nominate candidates; to vote in elections or on referenda of the organization.
  - ii. The one-person-one-vote principle for representation on its governing bodies shall be applied; except that the Association guarantees



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ethnic-minority representation at least proportionate to its ethnic-minority membership.

## 7. COMMITTEES:

- a. Minutes of the proceedings of each committee shall be filed in the administrative office of the Association.
- b. All committees shall report in writing to the Representative Council.
- c. Standing committees who fail to perform their assigned duties may be replaced by the President with the advice and consent of the Representative Council.

## 8. STANDING COMMITTEES:

- a. All committee action shall be within the framework of policy laid down by the Representative Council.
- b. The Standing Committees of the Association shall be:
  - i. Budget and Finance Committee:
    1. shall draw up a budget, audit the Association books and carry out an on-going study of the dues structure for the purpose of proposing changes when the need arises.
    2. This committee shall consist of the President, Treasurer, and three appointees.
  - ii. Communications Committee:
    1. shall supervise Association communications with the members.
  - iii. County Activities Committee:
    1. shall coordinate the activities of the Association as directed by the President and shall include a sub-committee which shall plan and coordinate social outings.
  - iv. Minority Leadership & Social Justice Committee:
    1. shall study, report on, and make recommendations on how members and their association can improve human relations.
  - v. Instruction and Professional Development Committee:
    1. shall study, report on, and make recommendations concerning programs and problems in the field of education. The committee shall also organize and supervise workshops and approved conferences in this area.
  - vi. Legislative Action Committee:
    1. shall consider legislation and shall carry out the legislative policy of the Association. It shall issue reports concerning legislation as the need arises.
  - vii. Members Rights Committee:



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1. shall bring to the attention of the members information regarding their rights and responsibilities.
- viii. Membership Committee shall supervise the recruitment and maintenance of membership.
- ix. Public Relations and Media Committee:
  1. shall supervise communication with the community at large.
  2. subcommittees: PRIDE; Read Across America
- x. Retirement Committee:
  1. shall bring to the attention of members information regarding retirement.
  2. subcommittee: BCREA
- xi. Member Benefits Committee:
  1. shall bring to the attention of members information regarding car leasing, consumer buying plans, insurance programs and other special services available to the members of the Association.
- xii. Personnel Committee:
  1. consisting of the President, Negotiations Committee Chairperson and Budget Committee Chairperson shall serve as the core, with other members being appointed by the President, to set terms and conditions of employment for BCEA employees.
- xiii. ESP Committee:
  1. shall bring to the attention of the members issues that relate to ESP.
  2. shall plan and facilitate ESP workshops and dinner.
- xiv. Constitution & ByLaw Committee:
  1. shall review the Constitution, By-laws, and Policies of the BCEA, minimally once every 5 years.
  2. shall bring to the Executive Committee and Representative Council suggestions for changes in the Constitution, By-laws, and Policies of the BCEA.
  3. The Committee shall be made up of the Chair, President, and one other BCEA officer.



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## **9. BUDGET AND FISCAL YEAR:**

### **a. Fiscal Year:**

- i. The fiscal year of the Association shall be for the school year and following summer September 1 thru August 31st.

### **b. Budget**

- i. A budget will be presented for adoption by the Representative Council during the preceding May meeting.
- ii. If not adopted, it will be presented in revised form for adoption at the first fall meeting.
- iii. This budget will include revenues and expenditures of the previous year, anticipated income and expenditures of the current year, and proposed income and expenditures for the ensuing year.

## **10. AMENDMENTS TO THE BY-LAWS:**

- a. These By-Laws may be altered or amended by a majority vote of the Representative Council members present at a regular meeting provided the proposed alteration or amendment shall have been electronically shared with all members via multiple means. Multiple means may include but shall not be limited to, email to Association Presidents, email to Association Representatives, BCEA social media and BCEA website, at least thirty days prior to the date of final action.