



REVISED  
2017

THE PRINCE GEORGE'S COUNTY  
EDUCATORS ASSOCIATION BYLAWS

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## THE PRINCE GEORGE'S COUNTY EDUCATORS ASSOCIATION BYLAWS

### ARTICLE I – TITLE

**SECTION 1. NAME AND LOCATION.** The name of the Association shall be the Prince George's County Educators' Association (PGCEA), Incorporated, hereinafter referred to as "the Association." Its principle office is located at 8008 Marlboro Pike, Forestville, Prince George's County, Maryland, 20747.

### ARTICLE II – PURPOSES

**SECTION 1. PROFESSIONAL PRACTICES.** To develop the highest standard of professional practices within the Prince George's County Public School System (PGCPS).

**SECTION 2. ADVANCEMENT OF EDUCATION.** To seek the advancement and improvement of education in the Prince George's County Public School System.

**SECTION 3. EFFECTIVE EDUCATIONAL ENVIRONMENT.** To seek those conditions necessary for an effective and productive educational environment.

**SECTION 4. REPRESENT PUBLIC EDUCATION.** To represent public educational interests before governmental and public agencies.

**SECTION 5. PROFESSIONAL EMPLOYEE RELATIONS.** To represent professional certificated public employees in relationship with the public school employer with regard to salaries, wages, hours, and other working conditions.

### ARTICLE III – MEMBERSHIP

Membership in the Association shall consist of Regular members and such other categories of membership as may be provided in the Association's Bylaws.

**SECTION 1. REGULAR MEMBERS.** Regular membership shall be open to employees of the Prince George's County Public School System who a certificate issued by the Maryland State Department of Education (MSDE), agrees to abide by the Code of Ethics of the United Education Profession, and who qualifies to be placed on the professional salary schedule for Unit I employees.

**SECTION 2. RETIRED MEMBERS.** Retired membership shall be open to any regular member who retires from his/her professional position and who qualifies for retirement under the Maryland State Teachers' Retirement/Pension System.

**SECTION 3. CONTINUOUS MEMBERSHIP.** Membership shall be continuous from year to year pursuant to the membership application form established by the Association.

**SECTION 4. MEMBERSHIP YEAR.** The membership year shall be September 1 of each year to August 31 of the following year.

**SECTION 5. Good Standing.** To be considered a Members in Good Standing, a member must be up to date on all dues obligations and free of debt to the Association.

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**SECTION 6. UNIFICATION OF MEMBERSHIP.** All PGCEA members shall belong to the Maryland State Education Association and the National Education Association in accordance with the unification agreement between those Associations and the Prince George's County Educators' Association, Incorporated.

**SECTION 7. REVOCATION OF MEMBERSHIP.** The Board of Directors, by affirmative vote of two-thirds of all the members of the Board, may expel a member for cause after an appropriate hearing.

Upon written request signed by the former member and filed with the Executive Director, the Representative Council, by an affirmative vote of a majority of the Representatives present at a regular meeting, may reinstate such former member to membership upon such terms, as the Representative Council may deem appropriate.

**Section 8. Resignation.** In order to effect a resignation from Association membership, a member must, in writing, notify the Association between September 1 and September 20 of his/her intent to resign.

### ARTICLE IV – OFFICERS

**SECTION 1. DESIGNATION.** The officers of this Association shall be a President, a Vice President, a Secretary, and a Treasurer.

**SECTION 2. QUALIFICATION.** In order for a member to be an elected officer of the Association, such member must have been a regular member of said Association for a minimum of three (3) consecutive years immediately preceding the election and be in good standing with the Association. The member shall be a tenured professional on a continuing contract with the Board of Education and in the PGCEA bargaining unit.

**SECTION 3. ELECTION AND TERMS OF OFFICE.** The election of President, Vice President, and Treasurer shall be through open nomination, by secret ballot, by majority vote, and in conformity with the one person, one vote rule. The terms of the officers named herein shall expire when their successors are elected and duly qualified.

- A. The terms of the President and Vice President shall be three (3) years beginning August 1 of the year in which the election shall have occurred and terminate on July 31 of the third year thereafter.
- B. The term of office for the Treasurer shall be three (3) years beginning August 1 of the year in which the election shall have occurred and terminate on July 31 of the third year thereafter.
- C. No officer of the Association may succeed him/herself more than one time.
- D. All officers of the Association shall serve as delegates to the Maryland State Education Association (MSEA) and the National Education Association (NEA) Representative Assemblies, and it shall be so designated on the official ballot at the time of the election of officers of the Association.

The Vice President shall perform the duties of the President whenever the latter shall be absent, or unable to act. In the event the office of President should become vacant, the Vice President shall assume the office of the President.

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If the office of Vice President should become vacant, the Nominations Elections Credentials Commission (NECC) will conduct a special election at the next Representative Council to fill the unexpired term. Only current members of the Board of Directors shall be eligible to run.

If the office of Treasurer should become vacant, the NECC will conduct a special election at the next Representative Council to fill the unexpired term. Only current members of the Board of Directors shall be eligible to run.

Following an election to fill a vacancy, if the individual elected is not eligible to assume the position at the prescribed time, the position will be offered to the person receiving the next highest number of votes.

**SECTION 4. PRESIDENT.** The powers and duties of the President shall include, but are not limited to the following:

- A. Preside at all meetings of the members, Representative Council and Board of Directors.
- B. Prepare agendas for meetings of the members, Representative Council and Board of Directors.
- C. Appoint, with the approval of the Board of Directors, a Parliamentarian to assist in the conduct of business, including all meetings of the members, Representative Council, and Board of Directors and to advise members of their rights and privileges.
- D. Present written or oral reports to the Representative Council and annual membership meetings.
- E. Appoint chairpersons of standing and special committees subject to ratification by the Board of Directors; assist in the recruitment of committee members; present a clear and concise charge to each committee with the approval of the Board of Directors; and serve as an ex officio member of all committees.
- F. Serve as delegate and chairperson of delegations to the Maryland State Education Association and National Education Association Representative Assemblies, and other Association meetings called from time to time.
- G. Serve as spokesperson of the Association for programs, purposes, and positions.
- H. Perform all other duties which are usually vested in the Office of President.

**SECTION 5. VICE PRESIDENT.** The powers and duties of the Vice President shall include, but are not limited to the following:

- A. Preside at regularly scheduled meetings of the members, Representative Council and Board of Directors in the absence of the President (upon the President's request).
- B. Serve as delegate to the Maryland State Education Association (MSEA) and National Education Association (NEA) Representative Assemblies.
- C. Perform such other duties as shall from time to time be delegated by the President, including in the capacity as Board liaison to appropriate committee(s).
- D. Assume the Presidency of the Association should the President resign or otherwise become unable to act.

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**SECTION 6. TREASURER.** The powers and duties of the Treasurer shall include, but are not limited to, the following:

- A. Have responsibility for Association (Corporate) funds and securities and be responsible for keeping full and accurate accounts of all receipts and disbursements in the books belonging to the Association.
- B. Be responsible for the deposit of all monies and other valuable effects in the name and to the credit of the Association in such depositories as may from time to time be designated by the Board of Directors.
- C. Serve as chairperson of the Budget Committee of the Association.
- D. Present or cause to be presented, monthly reports to the Representative Council and an annual report to the membership.
- E. Be bonded in such amount as determined by the Board of Directors.
- F. Be a delegate to the Maryland State Education Association (MSEA) and National Education Association (NEA) Representative Assemblies.

### ARTICLE V – EXECUTIVE DIRECTOR AND STAFF

**SECTION 1. APPOINTMENT.** The Association shall have an Executive Director, who shall be appointed by the Board of Directors. Such person shall also serve as Secretary to the Corporation.

**SECTION 2. DUTIES.** The duties of the Executive Director shall include, but are not limited to, the following:

- A. Promote the purposes of the Association as stated in these By-laws.
- B. Serve under the direction of the Board of Directors.
- C. Represent the Association when attending to Association business.
- D. Act as custodian of the records of the Association; and maintain an up-to-date record of the membership.
- E. Direct and evaluate the staff;
- F. Provide for the day to day supervision of staff and administer the business affairs of the office; and manage all staff contracts and/or agreements under his/her direction;
- G. Assist in the preparation of agendas and reports for all Association meetings.
- H. Assist the Treasurer in his/her duties and be bonded in the same manner and amount as the Treasurer at the expense of the Association.
- I. Assist in the preparation of the annual budget and the maintenance of Association financial records.
- J. Have general supervision of all publications in accordance with Association policies.
- K. Attend all meetings of the Board of Directors and the Representative Council personally or through a designee.
- L. Have the privilege to attend all committee and commission meetings of the Association.
- M. Attend all Board of Education meetings personally or through a designee and meetings.
- N. Attend appropriate meetings of the Maryland State Education Association (MSEA) and National Education Association (NEA), including the annual conventions.
- O. Be responsible for the preparation and clearance of press releases.
- P. Present an annual report at the annual membership meeting.

**SECTION 3. EVALUATION.** The performance of the Executive Director shall be subject to review by the Board of Directors.

**ARTICLE VI – BOARD OF DIRECTORS**

**SECTION 1. NUMBER, QUALIFICATIONS, AND ELECTION.** The affairs of the Association shall be governed by the Board of Directors, composed of three (3) elected officers plus eight (8) other elected members who must be regular members of the Association for a minimum of three (3) consecutive years immediately preceding the election and in good standing with the Association.

The members shall be tenured professionals on a continuing contract with the Board of Education and in the PGCEA bargaining unit, when running and while holding office. The Executive Director shall serve as a member ex officio of the Board without vote.

**SECTION 2. ELECTION OF AFFILIATED BODIES.** All members of the Board of Directors shall serve as delegates to the Maryland State Education Association (**MSEA**) and the National Education Association (**NEA**) Representative Assemblies and shall be so designated on the official ballot at the time of election to the Board of Directors.

**SECTION 3. POWERS AND DUTIES.** The Board of Directors shall have all the powers and duties necessary for the administration of the affairs of the Corporation as outlined in the Corporation and Association Article of the Maryland Code, and the Board of Directors shall perform all acts which are not by law or by these Bylaws restricted or reserved to the membership or the Representative Council. The powers and duties of the Board of Directors shall include, the following:

- A. Provide for the interpretation and implementation of established policies of the Association.
- B. Appoint staff upon the recommendation of the Executive Director necessary for the good working order of the Association.
- C. Review all expenditures incurred within the budget as adopted by the Representative Council.
- D. Adjust expenditures by resolution within and between major categories of the budget, if necessary.
- E. Suggest resolutions for Representative Council consideration.
- F. Present to Representative Council for approval by 2/3 of the members present and voting, any non-budgeted expenditures in excess of \$5,000.
- G. Approve committee chairperson appointments and committee charges as made by the President.
- H. Appoint and evaluate the Association's Executive Director.

**SECTION 4. TERMS OF OFFICE.** The term of the members of the Board of Directors shall be for two (2) years commencing on August 1 immediately following the general election and terminating two (2) years thereafter.

**SECTION 5. VACANCIES.** Vacancies on the Board of Directors except the offices of President, Vice President, and Treasurer shall be filled through an election at the Representative Council within 60 days of the announcement of the vacancies. The Nominations, Elections, and Credentials Commission (NECC) will declare the vacancy. Nominations may be taken in advance or the first fifteen (15) minutes of the council where the election will be held.



**SECTION 6. RECALL OF OFFICERS AND DIRECTORS FOR CAUSE.** Any officer or member of the Board of Directors may be recalled for cause that is, removed from office, by a special vote: Ten percent (10%) of membership must sign a petition to recall. Upon receipt of the petition, the officer or Board member may be suspended pending further proceedings. If, after a due process hearing, a two-thirds (2/3) vote of the NECC shall sustain the charge, and ballots containing the charges shall be prepared for the membership. A recall election must be held within forty-five (45) days after the petition is received by the Nominations, Elections, and Credentials Commission Chair. This must be a full membership vote using secret ballot. It shall require the majority of those voting, who are in good standing with the Association, to effect a recall. Recall shall take effect immediately upon the completion of the counting of the votes where the vote tally so indicates.

**SECTION 7. REGULAR AND SPECIAL MEETINGS.** The Board of Directors normally shall meet at least one (1) time each month during the school year, or at the call of the President, or at the request of six (6) members of the Board.

**SECTION 8. QUORUM.** A simple majority of filled positions will constitute a quorum at the Board of Directors meeting.

#### **ARTICLE VII – REPRESENTATIVE COUNCIL**

**SECTION 1. NUMBER.** There shall be a legislative body of the Association known as the Representative Council, composed of members of the Board of Directors, and one or more representatives from each school or area office.

**SECTION 2. POWERS AND DUTIES.** The Representative Council shall serve as the primary policy-making body of the Association. Powers and duties of the Representative Council shall include the following:

- A. Amend or adopt the Standing Rules of the Representative Council at the second regular meeting of each school year.
- B. Approve the budget of the Association and establish annual dues.
- C. Act on reports of committees of the Representative Council.
- D. Receive reports of the Nominations, Elections, and Credentials Commission
- E. Approve, reject, or take no position on the Board of Directors' recommendation regarding the ratification of a proposed Negotiated Agreement between the Association and the Board of Education, which action by the Representative Council must be reported to the membership along with the Board of Directors' recommendation at the time of the membership vote on ratification.
- F. Approve by 2/3 of the members present and voting, any non-budgeted expenditure in excess of \$5,000.00 recommended by the Board of Directors.
- G. Fill vacancies occurring in the offices of Vice President, Treasurer, and Board of Directors.

**SECTION 3. ASSOCIATION REPRESENTATIVES ELECTION, TERM OF OFFICE, AND QUALIFICATIONS.**

Delegates to the Representative Council shall be known as Association Representatives. The term of an Association Representative shall be for one year and shall be elected annually. To serve as an Association Representative or alternate, the member must be at least in the second year of Association membership and in good standing with the Association. The Nominations, Elections, and Credentials Commission may waive this rule for cause upon any individual request. The Nominations, Elections, and Credentials Commission (NECC) shall call for the election of Association Representatives at the April Representative Council meeting and the election shall take place during the month of May, but no later than June 15. New Association Representatives take office in the beginning of the following school year. Each school or educational center shall elect one (1) Association Representative and one (1) alternate for every twenty-five (25) Association members or fraction thereof and report the election results to the Association on a form provided by the Nominations, Elections, and Credentials Commission. Only regular members in good standing shall be permitted to vote. Where there is more than one (1) Association Representative from a school or center, one (1) shall be designated Chair of the Association Delegation by a majority vote of the PGCEA Members in that school or center. Members may not self-appoint to the position of Association Representative, nor may anyone appoint a Unit 1 member to the position of Association Representative, absent a vote of the membership at that site.

**SECTION 4. VACANCIES.** Vacancies in the Representative Council are to be filled by duly elected alternates from the school or center where the vacancy exists to serve out the unexpired term of Association Representative. Should there be no alternate, a special election shall be called in the school or center where the vacancy exists within ten (10) school days to elect a new Association Representative(s) and alternate(s). When more than one (1) Association Representative and alternate exists, alternates shall succeed to the office of Association

Representative in the order of the highest number of votes cast for each. Any change in Association Representative's status must be reported promptly to the Association by the members of the school or center should there be no Association Representative or alternate to make such a report.

**SECTION 5. ATTENDANCE.** All Association Representatives or alternates shall attend all regular and special meetings of the Representative Council. The chairperson of the Representative Council or his/her designee may waive the aforementioned requirement when an Association Representative informs the Chairperson no later than one (1) school day prior to the meeting.

**SECTION 6. NON ASSOCIATION REPRESENTATIVE ATTENDANCE.** Any member of the Association who is not a member of the Representative Council may attend meetings and participate in accordance with the Council's Standing Rules.

**SECTION 7. ASSOCIATION REPRESENTATIVE DUTIES.** Chairpersons of Association Representative Delegations, and/or Association Representatives, shall call regular meetings of Association members in their school or center to report on Association actions and to conduct Association business. Association Representative Chairpersons and/or Association Representatives shall organize and supervise all Association balloting within their school or center; enroll nonmembers as members of the Association; promptly distribute Association literature and publications; establish an Association bulletin board; serve as member of the school's or center's Faculty Advisory Council (FAC) in accordance with provisions

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of the Negotiated Agreement; and serve as resource persons and liaison between the members and the Association in any matter of concern to Association members.

**SECTION 8. REGULAR MEETINGS.** Regular meetings of the Representative Council shall be held at least once per month from September through May, except for December, at such time and place within Prince George's County, Maryland, as shall be determined from time to time by the Representative Council's Standing Rules. Agendas of regular meetings of the Representative Council shall be the responsibility of the President who shall distribute to each Association Representative in a manner in which each representative shall receive the agenda at least five (5) school days prior to the date of said meeting.

**SECTION 9. SPECIAL MEETINGS.** Special meetings of the Representative Council may be called by the President, by a majority of the members of the Board of Directors, or by written request submitted to the Chairperson of the Representative Council by twenty-five (25) or more Association Representatives representing at least ten (10) different schools or centers. Notice of special meetings of the Representative Council shall be given to each Association Representative by mail, by telephone, or by telegraph from the Board secretary at least two (2) days prior to the day named for such meeting.

**SECTION 10. MINUTES.** There shall be a staff person assigned to keep the minutes of all meetings of the Representative Council; be responsible for distributing notices, minutes, and agendas to the Representative Council; and shall, in general, perform all duties incident to the office of the secretary to the Representative Council.

**SECTION 11. REFERENDUM ON COUNCIL/BOARD ACTIONS.** Any action taken by the Representative Council or the Board of Directors, except legal commitments or actions granted bylaw or these Bylaws to the Representative Council or the Board of Directors, may be petitioned to referendum of the membership when twenty percent (20%) or more of the regular members so indicate with their signatures and employee identification number (EIN). Such petition shall clearly state the action to be placed before the membership, along with the necessary signatures, and be presented to the President.

The President shall call for a special referendum vote by the membership within thirty (30) school days after his/her receipt of the petition if the Nominations, Elections, and Credentials Commission verifies that the necessary twenty percent (20%) of the regular member signatures from the official Association files are valid. The Nominations, Elections, and Credentials Commission shall prepare a ballot on which state the Representative Council or Board of Directors' action petitioned to referendum along with the statement:

Shall the above action of the Representative Council or Board of Directors be upheld?

Yes      No

The action of the Representative Council or Board of Directors shall be considered overturned if a majority of those voting vote no.

**Section 12. REPRESENTATIVE COUNCIL STANDING RULES.** The Representative Council shall adopt Standing Rules for the conduct of its meetings, including rules for the establishment of a quorum. These rules shall be reviewed, revised if necessary, and adopted at the September meeting of the

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Representative Council. Unless otherwise stated in the Representative Council's Standing Rules, Robert's Rules of Order (latest edition) shall be the authority for the Representative Council.

### **ARTICLE VIII – STANDING COMMITTEES**

**SECTION 1. DESIGNATION.** The President, with the consent of 2/3 vote of the full Board of Directors, shall designate the standing committees of the Association. These committees shall exist until changed by a 2/3 vote of the full Board of Directors.

**Standing Committees of the Association include:**

- Budget Committee
- Bylaws Committee
- Government Relations Committee (GR)
- Fund for Children & Public Education Sub-committee
- Membership Committee
- Future Educators Sub-committee
- Minority Affairs Committee
- Professional Development & Leadership Committee (PDL)
- Public Relations Committee (PR)
- Restorative Practices Committee
- Sick Leave Bank Committee
- Special Education Committee (SPED)

**SECTION 2. APPOINTMENT.** The President shall appoint chairpersons for all Standing Committees within thirty (30) days after he/she takes office. All committee chairperson appointments are subject to approval by the Board of Directors. Individual members of the committees may be recruited by the chairperson and serve unless there is an objection by the President. All Standing Committees must contain four (4) or more members, all of whom must be regular members of the Association. All committee appointments are for one (1) year beginning on July 1 of the year in which they were appointed and terminate June 30 of the following year.

**SECTION 3. POWERS AND DUTIES.** All committees shall carry out to the best of their ability, the mission (charge) presented to them by the President. Standing Committees shall have the power to make recommendations to the President and the Association in their area of assignment to promote the general welfare of the membership. Standing Committees must present operating budget requests with support for the expenditures to the Program and Budget Committee at a time designated by that Committee. No Standing Committee may exceed its budgetary limit without the approval of the Board of Directors. Unless approved by the President and Executive Director, no committee may enter into a contract that exceeds \$1000, or a contract for leasing, transportation, room rental, catering, entertainment, or other services provided through PGCEA. Any contract which is binding upon the Association must be approved by the Board of Directors in accordance with PGCEA policy. Request for Association staff assistance to a Standing Committee must be made through the President. All Standing

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Committees must present a written report of their recommendations to meet their charge as stated by the President and/or a report of their activities for the year, to the Board of Directors by May 1 of each year for distribution to the Board of Directors and the Representative Council.

### **ARTICLE IX – NOMINATIONS, ELECTIONS AND CREDENTIALS COMMISSION**

**SECTION 1. DESIGNATION AND NUMBER.** There shall be a Nominations, Elections, and Credentials Commission composed of 9 Commissioners who shall be regular members of the Association, to exercise general supervision over all Association elections except where noted in these By-laws.

**SECTION 2. POWERS AND DUTIES.** The Nominations, Elections, and Credentials Commission shall have all the powers and duties necessary for the general supervision of all Association elections, except where noted in these Bylaws, including negotiated agreement balloting, referendum questions, or general Association polls, and may do all such acts and things as are not by Association policy or by these Bylaws prohibited. The powers and duties of the Nominations, Elections, and Credentials Commission shall include, but are not limited to, the following:

- A. Adopt a calendar, rules and regulations for the nomination, election, and adoption of Association election results as approved by the Representative Council.
- B. Review the credentials of persons seeking Association office and certify them as candidates for election.
- C. Establish procedures for the preparation, distribution, receipt, counting, and certification of all Association balloting.
- D. Maintain accurate records for Association files of all pertinent details concerning an election or balloting.
- E. Certify duly elected officers, faculty representatives, delegates, and others.
- F. Provide an appeal procedure to hear election challenges except as otherwise provided in these Bylaws. Challenges must be filed within five (5) work days of the announcement of the election's results.
- G. Present each representative having perfect attendance with a Certificate of Merit at the end of each school year. Shall inquire as to the status of representatives absent for three (3) consecutive meetings.
- H. Meet from time-to-time with the Board of Directors for advice and counsel when requested to review any problem before the Commission.

**SECTION 3. NOMINATION.** During the month of May prior to the regular monthly meeting of the Representative Council, the Board of Directors shall nominate any Association regular member who is in at least his/her second year of Association membership and in good standing with the Association for election to the Nominations, Elections, and Credentials Commission by the Representative Council. The Representative Council may add nominees to the Board's slate of nominees.

**SECTION 4. TERM OF OFFICE AND ELECTION.** The term of office for members of the Nominations, Elections, and Credentials Commission shall be for two (2) years. New Commissioners take office on June 1 of the year in which the election shall have occurred and terminate on May 31 two (2) years following. At the May Representative Council meeting, the Chairperson of the Representative Council will select faculty representatives, who are not Nominations, Elections, and Credentials Commission

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members or nominees, to prepare the ballot, conduct the election, count the ballots, and to certify the winners.

**SECTION 5. ELECTION OF THE CHAIRPERSON AND TERM OF OFFICE.** The person receiving the highest number of votes on the ballot shall call an organizational meeting of the Nominations, Elections, and Credentials Commission within two (2) weeks following the election to conduct an election of the Chairperson of the Nominations, Elections, and Credentials Commission from among the Commissioners. The Chairperson's term shall be for one (1) year beginning June 1 of the year in which the election shall have occurred and terminating May 31 thereafter.

**SECTION 6. EX-OFFICIO REPRESENTATIVE COUNCIL MEMBERS.** All members of the Nominations, Elections, and Credentials Commission are ex officio members of the Representative Council without vote. No member of the Nominations, Elections, and Credentials may serve as an Association Representative of the Representative Council during the period he/she is a member of the Nominations, Elections, and Credentials Commission.

**SECTION 7. VACANCIES. Vacancies on the Nominations, Elections, and Credentials.** Commission shall be filled by a special vote of the Representative Council at any meeting of the Council to serve out the unexpired term of the Commissioner in the same manner as enumerated in Article IX, Section 5.

**SECTION 8. ATTENDANCE AT THE NEA CONVENTION.** The NECC Chair or their designee shall attend the NEA Representative Assembly for the purpose of establishing a check-in to take attendance, in a convenient location prior to the start of each business meeting. Check-in shall be available minimally 45 minutes prior to the start of the meeting and 30 minutes after the meeting is called to order. PGCEA shall fund all expenses for the attendance of the Commissioner.

### ARTICLE X – GENERAL ELECTIONS

**SECTION 1. DATE AND VOTER ELIGIBILITY.** General Association elections for officers and members of the Board of Directors including delegates to the Maryland State Education Association and the National Education Association Representative Assemblies, shall be conducted by the Nominations, Elections, and Credentials Commission and in conjunction with the MSEA elections calendar. Only regular members in good standing shall be permitted to vote.

**SECTION 2. DUTIES.** The Nominations, Elections, and Credentials Commission shall be responsible for the following in the conduct of the General Election in accordance with such procedures and rules as may be established by the Commission:

- A. Establish the election calendar each year for presentation to the Representative Council. The election calendar shall coincidewith the MSEA Election schedule.
- B. PGCEA's election for officers, board members, and delegates shall run concurrently with MSEA elections.
- C. Notify the membership of all upcoming Association vacancies in accordance with these By-laws.
- D. Receive all nominations by dates set forth in its rules each year and certify each candidate as eligible for placement on the ballot.

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- E. If any candidate is not eligible for nomination, the Nominations, Elections, and Credentials Commission will advise him/her of the reasons for denial at the time of the notice. Eligible candidates will receive a copy of the Fair Campaign Practice Code.
- F. Prepare for the Representative Council meeting and the membership a final report on the slate of nominees along with biographical information of each candidate and a short statement from each candidate as to why he/she seeks office.
- G. Introduce candidates for offices and members of the Board of Directors at the February Representative Council meeting. Candidates for office may speak to the Council for no more than three (3) minutes each on why they seek office.
- H. Prepare ballots in time sufficient to meet the date of the general election.
- I. Notify all candidates seeking Association office listed on the official ballot, the results of the election within twenty-four (24) hours following the final tabulation of the ballots.
- J. Prepare and report to the Representative Council following conclusion of the general election a final report of the elections results.

**SECTION 3. APPEALS.** Any member may request a hearing before the Nominations, Elections, and Credentials Commission to appeal its denial of his/her nomination, to report any election irregularities, or challenge any other Commission action within five (5) school days of the act or incident. Upon receipt of a proper appeal, the Commission shall hold a hearing and render a decision within five (5) school days. The Committee Chairperson may request legal counsel or other assistance through the Executive Director.

**SECTION 4. ELECTION FINANCES AND DISCLOSURE.** No candidate for any Association office will be permitted to spend more money for campaign expenses than that established by the Nominations, Elections, and Credentials Commission. Candidates shall make an itemized financial report of sources and expenditures of campaign fund to the Nominations, Elections, and Credentials Commission at times and in a manner as the Commission shall prescribe.

### ARTICLE XI – QUALIFICATIONS FOR ASSOCIATION OFFICES

**SECTION 1. OTHER ASSOCIATION OFFICE HOLDERS.** Unless otherwise stated in these Bylaws, any member seeking any Association office, including Delegates to MSEA and NEA Conventions and the Coordinator for the Fund for Children and Public Education, must be a regular member of the Association and in good standing with the Association at the time of the election.

**SECTION 2. APPROVAL OF CANDIDACY.** Any candidate seeking any Association office shall give approval for his/her name to be placed on the ballot.

### ARTICLE XII – FINANCES

**SECTION 1. ANNUAL DUES.** Members of the Association shall pay to the Association annual dues as recommended by the Board of Directors and approved by the Representative Council.

**SECTION 2. PAYMENT OF DUES.** In order for the Association to plan the implementation of its programs for the coming fiscal year and know what financial resources it can expect for support, all dues of members are due and payable in full by a date set by the Board of Directors of each fiscal year unless a member elects to pay his/her dues through payroll deduction. Should a member go on leave or resign

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from the school system, the balance of his/her annual dues is due and payable to the Association at that time.

**SECTION 3. NEW MEMBER DUES RATES AFTER APRIL 1.** For those new employees entering the system after April 1, the effective date of their dues payment shall begin at the annual rate for regular members when the first dues are deducted by the Board of Education.

**SECTION 4. ASSOCIATION BUDGET AND ADOPTION.** The Representative Council shall adopt the annual Association budget and establish the annual dues at a Representative Council meeting.

Prior to the Representative Council meeting, copies of the proposed budget will be distributed to Association members (no less than four (4) weeks prior to the Representative Council meeting). This shall happen before the end of the fiscal year.

**SECTION 5. FISCAL YEAR.** The fiscal year of the Association shall be September 1 through August 31 of the following year.

**SECTION 6. BOOKS AND ACCOUNTS.** Books and accounts of the Association shall be kept under the direction of the Treasurer in accordance with good accounting practices, consistently applied. The same shall include books with detailed accounts, in chronological order, of receipts and the expenditures affecting the Association and its administration.

**SECTION 7. AUDITING.** After August 31 of each year, the books and records of the Association shall be audited by an independent Certified Public Accountant recommended by the Executive Director and approved by the Board of Directors whose report shall be prepared and certified in accordance with generally accepted auditing standards.

**SECTION 8. EXECUTION OF CORPORATE DOCUMENTS.** With the prior authorization of the Board of Directors, all notes and contracts shall be executed on behalf of the Association by the President, the Treasurer, or the Executive.

**SECTION 9. SEAL.** The Board of Directors shall provide a suitable seal containing the name of the Association, which seal shall be in the charge of the Secretary.

### ARTICLE XIII – AFFILIATION

**SECTION 1. MSEA/NEA.** The Association shall be affiliated with the Maryland State Education Association and the National Education Association in accordance with agreements approved by the general membership on May 23, 1973.

### ARTICLE XIV – AMENDMENTS

**SECTION 1. QUALIFICATIONS AND SOURCE.** These Bylaws may be amended by the affirmative vote of two-thirds (2/3) of those regular members voting. These Bylaws may not be changed more than once during a fiscal year. All Bylaw amendments must be presented in writing and in the hands of the regular members at least forty-five (45) days prior to balloting. Amendments may be proposed by the Board of Directors, the Representative Council, Bylaws Committee, or by petition signed by at least twenty percent (20%) of the regular members. A rationale and description of any proposed amendment shall



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accompany the notice to the membership or the Representative Council as well as be included on the ballot upon which any proposed amendment is to be voted.

These Bylaws may be amended during the regular spring PGCEA elections. In all cases, proposed amendments and descriptive statements and rationale must be distributed to the Representative Council no later than the January Representative Council meeting, and must be discussed by the Representative Council no later than its February meeting.

### **ARTICLE XV – COMPLIANCE AND IMPLEMENTATION**

**SECTION 1. COMPLIANCE.** These Bylaws are set forth in compliance with the requirements of the Corporation and Association Article of the Maryland Code, the Maryland State Education Association, and the National Education Association Bylaws.

**SECTION 2. IMPLEMENTATION.** These Bylaws shall become effective on the first day of the month next succeeding their approval by the affirmative vote of regular members representing two-thirds (2/3) of those voting.

### **ARTICLE XVI – PARLIAMENTARY PROCEDURES**

The most recent edition of Robert's Rules of Order shall be the parliamentary authority for the Association on all questions not covered by these Bylaws or by the rules of procedure adopted by the Representative Council.