



**THE PRINCE GEORGE'S
COUNTY
EDUCATORS' ASSOCIATION**

By-Laws

THE PRINCE GEORGE'S COUNTY EDUCATORS' ASSOCIATION, INC. BY-LAWS

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ARTICLE I – TITLE

SECTION 1. NAME AND LOCATION. The name of the organization shall be the Prince George's County Educators' Association, Incorporated, hereinafter referred to as "the Association." Its principal 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.

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

SECTION 1. REGULAR MEMBERS. Regular membership will be open to any professional employee of the Prince George's County Public School System who possesses a bachelor's degree or has been employed with a bachelor's degree equivalent status for work experience, agrees to abide by the Code of Ethics of the United Education Profession, and who qualifies to be placed on the professional salary schedule.

- a) Active Members are members of the PGCEA Bargaining Unit (Unit 1) performing the assigned duties of the position for which they are employed, or assigned, on a regular contract.
- b) Subsequent to March 2015, members who find themselves unable, for a period exceeding ten months, to perform the assigned duties of the position for which they are employed, or assigned, on a regular contract, shall be designated as "Inactive Members".

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 System.*

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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. ANNUAL MEMBERSHIP MEETING. *There shall be an annual membership meeting held during the month of May.*

SECTION 6. UNIFICATION OF MEMBERSHIP. *All regular and limited 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.

ARTICLE IV – OFFICERS

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

SECTION 2. QUALIFICATION. *In order for a member to be an officer of the Association, such member must have been an active regular member of said Association for a minimum of three (3) consecutive years immediately preceding the election. 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 terms of the officers named herein shall expire when their successors are elected and duly qualified.*

- a) *The term of the President shall be three (3) years beginning July 1 of the year in which the election shall have occurred and terminate on June 30 of the third year thereafter.*
- b) *The term of office for the Vice President shall be three (3) years beginning Aug 1 of the year in which the election shall have occurred and terminate on July 31 of the third year thereafter.*
- c) *The term of office for the Treasurer shall be three (3) years beginning Aug 1 of the year in which the election shall have occurred and terminate on July 31 of the third year thereafter.*
- d) *No officer of the Association may succeed themselves more than one time.*

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- e) *All officers of the Association shall serve as delegates to the Maryland State Education Association and the National Education Association 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.

If the office of Vice President 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.

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, 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 a Parliamentarian to assist in the conduct of business 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 Conventions, and other Association meetings called from time to time.
- g) Attend personally or by a designee all Board of Education meetings.
- h) Represent Association interests either personally or by a designee before the public, governmental bodies or agencies, and the news media.
- i) Perform all other duties which are usually vested in the Office of President and avoid taking positions in public on issues upon which the Association has yet to a position.

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

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- 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 and National Education Association Conventions.
- 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 other become unable to act.

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 Program and 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 and National Education Association Conventions.
- g) Preside at regularly scheduled meetings of the members, Representative Council, and Board of Directors in the absence of the President and Vice President (upon the President's request).

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) Speak for the Association when attending to Association business.

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- d) Staff and maintain an office for the Association as established by the Board of Directors; act as custodian of the records of the Association; and maintain an up-to-date record of the membership.
- e) Assist in the preparation of agendas and reports for all Association meetings.
- f) 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.
- g) Assist in the preparation of the annual budget and the maintenance of Association financial records.
- h) Have general supervision of all publications in accordance with Association policies.
- i) Attend all meetings of the Board of Directors and the Representative Council personally or through a designee.
- j) Have the privilege to attend all committee and commission meetings of the Association.
- k) Attend all Board of Education meetings personally or through a designee.
- l) Attend appropriate meetings of the Maryland State Education Association and National Education Association, including the annual conventions.
- m) Be responsible for the preparation and clearance of press releases.
- n) 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 active members of the Association for a minimum of three (3) consecutive years immediately preceding the election. 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. Additionally, any PGCEA member elected as a MSEA, or NEA Director shall serve in an ex-officio capacity without voting privileges on the PGCEA Board of Directors for the duration of his/her term(s).

SECTION 2. ELECTION OF AFFILIATED BODIES. All members of the Board of Directors shall serve as delegates to the Maryland State Education Association and the National Education Association 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 and things which are not by law or by these By-laws restricted or reserved to the membership

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or the Representative Council. The powers and duties of the Board of Directors shall include, but are not limited to, the following:

- a) Appoint staff upon the recommendation of the Executive Director necessary for the good working order of the Association.
- b) Review all expenditures incurred within the budget as adopted by the Representative Council.
- c) Adjust expenditures by resolution within and between major categories of the budget, if necessary.
- d) Suggest resolutions for Representative Council consideration.
- e) Present to Representative Council for approval by 2/3 of the members present and voting, any non-budgeted expenditures in excess of \$5,000.
- f) Approve appointment of PGCEA members to serve on joint PGCEA/PGCPS Workgroups and Task Forces.
- g) Approve appointment of PGCEA members to serve on the Negotiations team(s).

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

SECTION 5. VACANCIES. Vacancies on the Board of Directors in any other office 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 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. 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 affect 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.

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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 powers and duties of the Representative Council shall include, but are not limited to, 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.
- c) Act on reports of committees of the Representative Council.
- d) Adopt procedures for the promulgation and enforcement of the By-laws, Policy Handbook, and other Association documents.
- e) Receive reports of the Nominations, Elections, and Credentials Commission and be the final judge of the qualifications and election for the officers, members of the Board of Directors, faculty representatives, and any other Association elected officer.
- f) 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.
- h) 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.

SECTION 3. FACULTY REPRESENTATIVE ELECTION, TERM OF OFFICE, AND QUALIFICATIONS. Delegates to the Representative Council shall be known as Faculty Representatives. The term of a Faculty Representative shall be for one year and shall be elected annually. To serve as a Faculty Representative or alternate, the member must be at least in the second year of Association membership. The Nominations, Elections, and Credentials Commission may waive this rule for cause upon any individual request. NECC shall call for elections of Association Representatives prior to the first regularly scheduled Representative Council of each school year. Each building or site is encouraged to conduct their election during the first week of the school year. Association Representatives will take office upon presentation of their {official election results and the required documentation} to the NECC. Each school or educational center shall elect one (1) Faculty 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) Faculty Representative from a school or center, one (1) shall be designated Chair of the Faculty Delegation by a majority vote of the Faculty Advisory Council in that school or center. Members may not self-appoint to the position of Faculty Representative, nor may

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anyone appoint a Unit 1 member to the position of Faculty 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 Faculty 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 Faculty Representative(s) and alternate(s). When more than one (1) Faculty Representative and alternate exists, alternates shall succeed to the office of Faculty Representative in the order of the highest number of votes cast for each. Any change in Faculty Representative's status must be reported promptly to the Association by the members of the school or center should there be no Faculty Representative or alternate to make such a report.

SECTION 5. ATTENDANCE. All Faculty 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 a Faculty Representative informs the Chairperson no later than one (1) school day prior to the meeting.

SECTION 6. NON-FACULTY 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. FACULTY REPRESENTATIVE DUTIES. *Chairpersons of Faculty Representative Delegations, and/or Faculty Representatives, shall call regular meetings of Association members in their school or center to report on Association actions and to conduct Association business. Faculty Representative Chairpersons and/or Faculty Representatives shall organize and supervise all Association balloting within their school or center; enroll non-members 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 in accordance with provisions 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 Faculty 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 Faculty Representatives representing at least ten (10) different schools or centers. Notice of special meetings of the Representative Council shall be given to each Faculty 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.*

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SECTION 10. MINUTES. *There shall be a staff person assigned to keep the minutes of all meetings of the Representative Council and the annual membership meeting; 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 by law or these By-laws 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 social security numbers. 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 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.*

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 active 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.

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- a) *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. No committee may enter into a contract. 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 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. Staff Liaisons shall be assigned by the Executive Director.*

- b) *The Sick Leave Bank Committee shall bring any proposed changes to the Sick Leave Bank rules to the Board of Directors at least 30 days before they are presented to PGCPs for review and feedback.*

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. No committee may enter into a contract. 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 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. Staff Liaisons shall be assigned by the Executive Director.*

ARTICLE IX – NOMINATIONS, ELECTIONS AND CREDENTIALS COMMISSION

SECTION 1. DESIGNATION AND NUMBER. *There shall be a Nominations, Elections, and Credentials Commission composed of nine (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 By-laws, 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 By-laws prohibited. The powers and duties of the Nominations, Elections, and Credentials Commission shall include, but are not limited to, the following:*

- a) *Adopt rules and regulations for the nomination, election, and adoption of Association election results as approved by the Board of Directors.*
- b) *Review the credentials of persons seeking Association office and certify them as candidates for election.*

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- 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 By-laws.*
- 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 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 August 1 of the year in which the election shall have occurred and terminate on July 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 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 a Faculty 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. *ATTENDANCE AT THE MSEA REPRESENTATIVE ASSEMBLY The Executive Director or his/her designee shall establish check-in procedures for PGCEA caucus meetings and consult with the MSEA Credentials Committee to determine delegate attendance for each session of the Representative Assembly.*

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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 during ten (10) consecutive school days. Only regular members in good standing shall be permitted to vote.*

SECTION 2. DUTIES OF THE NECC. *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) *Notify the membership of all upcoming Association vacancies in accordance with these By-laws.*
- b) *Receive all nominations by dates set forth in its rules each year.*
- c) *Notify all candidates seeking nominations for officers and members of the Board of Directors whether they are eligible to be placed on the official Association ballot at least two (2) weeks prior to the January Representative Council meeting.*
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.
- d) *Prepare for the January 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.*
- e) *Introduce candidates for offices and members of the Board of Directors at a Representative Council prior to the General Election. Candidates for office may speak to the Council for no more than three (3) minutes each on why they seek office.*
- f) *Prepare and distribute ballots to all regular members of the Association in time sufficient to meet the date of the general election.*
- g) *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.*
 - i) *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.*

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ARTICLE XI – QUALIFICATIONS FOR ASSOCIATION OFFICES

SECTION 1. OTHER ASSOCIATION OFFICE HOLDERS. *Unless otherwise stated in these By-laws, 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 at the time of the election.*

SECTION 2. APPROVAL OF CANDIDACY. *Any candidate seeking any Association office upon verification of eligibility by the NECC 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. [In the event that a member goes on leave, resigns, or is dismissed for cause, the Association shall follow the processes set forth in the Negotiated Agreement for the collection of Annual dues. Should any member lose employment, through no act or fault of his/her own, the Board of Directors shall have the power, upon appeal, to grant a proration of the Annual Dues by a two-thirds vote of the Board.*

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 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.*

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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 Director and all checks shall be executed on behalf of the Association by such officers, agents, or other persons as are from time to time authorized by the Board of Directors.*

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 By-laws may be amended by the affirmative vote of two-thirds (2/3) of those regular members voting. These By-laws may not be changed more than once during a fiscal year. All By-law 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, By-laws Committee, or by petition signed by at least twenty percent (20%) of the regular members. A descriptive statement and/or rationale shall accompany the formal notice to membership as well as be included on the ballot upon which any proposed amendment is to be voted. Amendments proposed by the Bylaws Committee shall be subject to review by the Board of Directors prior to presentation to the Representative Council. The Representative Council shall have the authority to revise or rescind amendments recommended by the Bylaws Committee. The Bylaws may be amended during the PGCEA General Election or during a special election.*

ARTICLE XV – COMPLIANCE AND IMPLEMENTATION

SECTION 1. COMPLIANCE. *These By-laws 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 By-laws.*

SECTION 2. IMPLEMENTATION. *These By-laws 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 X – REVIEW BOARD

SECTION 1. COMPOSITION.

A. *The Review Board shall adopt its own rules of procedure consistent with due process and these bylaws.*

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- B. The Review Board shall be composed of seven (7) members, at least three (3) of whom shall be members of ethnic-minority groups, appointed by the President with the advice and approval of the Board and Representative Council for a three (3) year staggered term beginning July 1. A member shall be eligible for an appointment for one additional term. Should an appointment come in the middle of a term, a member shall not be eligible to serve more than eight (8) total years on the Review Board.*
- C. In the event of a vacancy on the Review Board, the President shall make a recommendation to appoint subject to Board approval until confirmation at the next regularly scheduled Representative Assembly.*

SECTION 2. QUALIFICATIONS.

- A. Members of the Review Board shall have been members of the Association for three (3) consecutive years immediately prior to appointment and shall maintain membership in the Association during their terms.*
- B. A member of the Review Board shall hold no elective office other than PGCEA Delegate to the Maryland State Education Association (MSEA) and/or the National Education Association (NEA), nor any other appointive position in the Association.*
- C. No officer or other member of the Board of Directors shall be appointed to the Review Board within three (3) years following separation from such office.*

SECTION 3. JURISDICTION.

The Review Board shall:

- A. Rule on matters of bylaw interpretation referred to it by the Board of Directors or Representative Council.*
- B. Rule upon and be the final judge on all potential violations of the PGCEA Code of Ethics and rule on all other matters of censure, suspension, or expulsion of members and shall guarantee a hearing based upon due process to the member affected upon petition or vote of referral by:
 - I. 2/3 of the Board of Directors, and*
 - II. At least 2/3 of the Representative Council.**
- C. Process and certify any recall procedure.*

SECTION 4. RULES OF PROCEDURE.

- A. The members of the Review Board shall select the chairperson from its members.*
- B. The Review Board shall develop its rules and procedures and present them to the Board of Directors and the Representative Council.*
- C. The Review Board shall have the discretionary authority, within its allocated budget, to employ consultants.*

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Reviewed and Adopted: 09/14/21

Reviewed, Voted, and Adopted: 02/21/23