



The Power of a Great Education

Constitution and Bylaws

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Constitution

Article I – Name

The name of this organization shall be the Pennsylvania State Education Association.

Article II – Purpose

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

Article III – Membership

1. Membership in the Association shall comprise a category of active members and such other categories as may be provided in the bylaws.

2. Membership, as provided in the bylaws, shall be available to persons actively engaged in the profession of teaching or in other educational work or to persons interested in advancing the cause of public education. Applicants for membership shall agree to subscribe to the purpose and objectives of the Association as prescribed in the constitution and bylaws.

3. All rights, title, and interest, both legal and equitable, of a member in and to the property of the Association shall end upon termination of membership.

Article IV – Executive Officers

1. The executive officers of the Association shall be the president, vice president, and treasurer who, together with the region and PSEA-Retired (PSEA-R) representatives on the board of directors and the Association representatives on the National Education Association board of directors shall comprise the voting members of the board of directors. The region representatives shall be designated as officers of the Association.

2. In odd numbered years, the executive officers shall be elected for a two-year term by the House of Delegates on the final day of its annual meeting. Each two-year term shall run from the September 1 following election and the persons elected shall be limited to two terms in the office to which elected.

3. The election of the executive officers shall be through open nominations, by secret ballot, and by majority vote. Where there is only one nominee for an executive officer position, the chair shall declare such nominee elected.

4. A vacancy in the office of president shall be filled by the vice president.

5. If, during the first year of a term, a vacancy occurs in the office of vice president, in the office of treasurer, or in the office of Association representative to the National Education Association board of directors, such vacancy shall be filled by the board of directors who shall elect a successor to serve until the next annual meeting of the House of Delegates, which shall elect a successor for the remainder of the term. If such vacancy occurs after the first year of a term, the board of directors shall elect a successor for the remainder of the term.

6. The president, vice president and treasurer shall serve full-time. Their respective salaries shall be established by the board of directors.

Article V – Board of Directors

1. The board of directors shall be comprised of the executive officers, the officers, the Association representatives on the National Education Association board of directors, the presidents of the departments, the chairperson of the Council on Instruction and Professional Development (IPD), two members of PSEA-Retired, the president of Student PSEA, and an ethnic minority representative.

2. Each region shall be entitled to one representative on the board of directors for every 4,500 active members or major portion thereof within the region; provided, however, that each region shall have at least two representatives; provided further, that no region shall have more than five representatives. The board of directors shall design a system of weighted voting which complies with the one-person one-vote principle.

3. Where the annual computation to determine the composition of the board of directors results in the loss of one or more voting seats, those seats shall remain filled until the completion of the term of office of the person or persons filling them.

4. Each region representative on the board of directors shall be elected at an annual region house of delegates or by direct vote of the region membership through open nomination, by majority vote, and by secret ballot. The region representatives shall, by virtue of their election to the board of directors, be entitled to delegate status at the Association House of Delegates as long as the ballot designates such delegate entitlement.

5. Region representatives who are elected as local delegates or by direct vote of the region membership are entitled to full delegate status at the Association House of Delegates; otherwise, they may vote at the House, but not with respect to dues or the election of the Association executive officers or the National Education Association board of directors.

6. The Association representatives and alternates on the National Education Association board of directors shall be elected at the annual House of Delegates through open nomination, by secret ballot, and by majority vote. Where there is only one nominee for a particular position as an Association representative on the National Education Association board of directors, the chair shall declare such nominee elected. As with the region representatives, they shall, by virtue of their election, be entitled to delegate status at the Association House of Delegates as long as the ballot designates such delegate entitlement.

7. The Student PSEA representative on the board of directors shall be elected at the annual Student PSEA delegate assembly in accordance with the constitution and bylaws of Student PSEA. The PSEA-Retired representatives on the board of directors shall be elected for a two-year term, effective the September 1 following election, with right of succession, through a balloting procedure approved by the board of directors.

8. The representatives on the board of directors from the departments and IPD Council shall be elected in accordance with the constitutions and bylaws of the bodies which they represent.

9. A vacancy in a region representative position shall be filled in accordance

with the region constitution and bylaws. A vacancy in a department, IPD Council, or Student PSEA position on the board of directors shall be filled in accordance with the department, council, and Student PSEA constitutions and bylaws, respectively. A vacancy in a PSEA-Retired position shall be filled by the board of directors for the remainder of the unexpired term.

10. The board of directors shall act for the Association between meetings of the House of Delegates.

Article VI – House of Delegates

1. Local association delegates, at large delegates and officers shall comprise the voting delegates at the House of Delegates, subject to the conditions described in Article V, paragraph 5. PSEA-Retired delegates shall be entitled to vote at the House of Delegates on all matters except dues and election of the National Education Association board of directors, subject to the conditions described in paragraph 6 of this Article. Executive officers, Association representatives on the National Education Association board of directors, and Student PSEA delegates shall also be entitled to vote at the House of Delegates on all matters except dues and election of the Association executive officers and of the National Education Association board of directors.

2. Nonvoting delegate status at the House of Delegates shall be accorded to a region officer from each region who is not an officer of the Association, a representative from each coordinating council and department, and members of the IPD Council, resolutions committee, and legislative committee.

3. Local Association Delegates

a. Each local association shall be entitled to one delegate for every 67 active and reserve members or major fraction thereof within the Association; provided that for purposes of this section education support professional members of an all-inclusive local association shall be considered a separate local association. Irrespective of size every local association shall be entitled to at least one delegate.

b. An all-inclusive local association may choose to elect delegates either by separate vote of members in each category of membership for the number of delegates in that membership category, or by general vote of all members for the number of delegates proportionate in each membership category. The education support professional region shall include all education support professional delegates.

4. At Large Delegates

a. Active members of the Association other than administrators and supervisors for whom membership in a local association is not available shall be entitled to one delegate for every 67 such members or major fraction thereof.

b. Active members of the Association that are administrators and supervisors for whom membership in a local association is not available shall be entitled to one delegate for every 67 such members or major fraction thereof.

5. Student PSEA shall be entitled to one delegate for every 375 Student PSEA members.

6. PSEA-Retired shall be entitled to the following delegates:

a. The PSEA-Retired president, vice president, and second vice president; provided that, if not elected as a delegate pursuant to subparagraph b of this paragraph or by direct vote of the PSEA-Retired membership the PSEA-Retired president, vice president, or second vice president may vote at the House of Delegates on all matters except dues and election of the Association executive officers and of the National Education Association board of directors.

b. Each region shall be entitled to one delegate for every 1,000 PSEA-Retired members. Irrespective of size, every region shall be entitled to at least two delegates.

7. Unless otherwise provided in the Association governing documents, voting delegates shall be elected in conformity with the one-person one-vote principle through open nominations, by majority vote, and by secret ballot.

8. The House of Delegates shall meet at least annually in the spring, except in cases of emergency. The spring meetings shall be known as the annual meeting of the House of Delegates. The president shall call special meetings of the House of Delegates in the manner and under the conditions prescribed in the bylaws.

Article VII – Governance

1. The Association shall be governed by its constitution, bylaws, standing rules, and such other actions as the House of Delegates and the board of directors, the two governing bodies, may take which are consistent with those governing documents.

2. The governance structure of the Association shall include regions and local associations. Region and local association constitutions and bylaws shall conform to the Association constitution and bylaws.

3. Local association officers and delegates to region houses of delegates and the Association House of Delegates shall be elected through open nominations, by secret ballot, by majority vote, and in conformity with the one-person one-vote principle.

4. Region officers shall be elected through open nominations, by secret ballot, by majority vote, and in conformity with the one-person one-vote principle.

5. The non-governance structure of the Association shall include councils, departments, affiliates, commissions, and committees as prescribed in the constitution and bylaws.

Article VIII – Proportional Representation

1. Ethnic minority members shall be represented on the board of directors and at the House of Delegates in proportion to their membership in the Association. In addition, the board of directors shall take all reasonable steps to assure ethnic minority representation in the Association non-governance structure which is proportional to their membership in the Association.

2. Regions and local associations shall assure ethnic minority representation on their respective governing bodies, including houses of delegates, executive committees, and representative councils, in proportion to their respective ethnic minority memberships.

3. Administrator and supervisor members shall be represented on the board of directors in proportion to their membership in the Association.

4. Ethnic minority members and administrator members on the board of directors shall be elected at the annual meeting through open nomination, by secret ballot, and by majority vote.

Article IX – Nonprofit Status

The Association is not organized for profit and no part of the earnings of the corporation shall inure to the benefit of any private member or individual. In the event of the liquidation or dissolution of the corporation, whether voluntary or involuntary, no member shall be entitled to any distribution or division of its remaining property or its proceeds and the balance of all the money and other property received by the corporation from any source, after the payment of all debts and obligations of the corporation, shall be used or distributed, subject to the laws of the Commonwealth of Pennsylvania, exclusively for the purpose hereinbefore set forth.

Article X – Affiliation

The Association shall be affiliated with the National Education Association in accordance with policies established by the board of directors.

Article XI – Amendments

This constitution may be amended by a two-thirds vote of the House of Delegates on a printed ballot, a majority voting, at its annual meetings or special meeting called for that purpose. Said amendment shall 1) be proposed with the endorsement of the board of directors, or with the endorsement of 100 active members of the Association, 2) be drafted in proper technical form by the constitution and bylaws committee of the board of directors, and 3) be published in an official publication of the Association in two issues preceding said meeting.

Article XII – Bylaws

Bylaws not inconsistent with this constitution may be adopted by a three-fifths vote of the delegates voting at any meeting of the House of Delegates. The provisions of any section of the bylaws may be suspended for a single meeting by a two-thirds vote of the delegates present.

Bylaws

Article I – Objectives

The objectives of the Association shall be as follows:

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

Article II – Membership

A. Active Membership

1. Active membership shall be available to any person who is actively engaged in educational work in Pennsylvania. A person shall be considered as being actively engaged in educational work if he or she is:

a. employed by or in a public school district, college or university, or other public institution devoted primarily to education, regardless of the specific nature of the functions that the person performs at the work site and regardless of who actually employs the person;

b. employed by a government agency or government funded entity to provide education services;

c. employed by a non-public nonsectarian school entity, only if part of a bargaining unit represented by or in the process of being represented by PSEA;

d. on a paid leave of absence from employment described in Section A(1a), A(1b), or A(1c) noted above;

e. serving as an officer of the Association;

f. on an unpaid leave of absence from employment described in Section A(1a), A(1b), or A(1c) noted above, and receiving workers' compensation, disability, or retirement disability payments. This unpaid leave shall not exceed three consecutive membership years.

2. An active member must satisfy the following eligibility requirements:

a. Membership in the National Education Association, where eligible, and in a local association, where available;

b. Eligibility under applicable laws and regulations to serve in the educational position in which employed;

c. Payment of the annual unified dues for active members.

3. Annual active membership dues of the Association shall be modified in the following manner and under the following conditions:

a. A person who becomes an active member for the first time:

1) After the first quarter but before mid-year shall be obligated to pay only three-quarters of the Association annual active membership dues for the remainder of the membership year;

2) After mid-year but before the end of the third quarter shall be obligated to pay only one-half of the Association annual active membership dues for the remainder of the membership year;

3) After the third quarter shall be obligated to pay only one-quarter of the Association annual active membership dues for the remainder of the membership year;

b. A person who is regularly employed for 75 percent or less of the normal schedule of a full-time faculty member as verified by the local association, shall be obligated to pay only three-quarters' the Association annual active membership dues;

c. A person who is regularly employed for 50 percent or less of the normal schedule of a full-time faculty member as verified by the local association, shall be obligated to pay only one-half the Association annual active membership dues;

d. A person who is on a paid leave of absence, as verified by the local association, shall be obligated to pay annual dues if receiving full annual salary, three-quarters' annual dues if receiving three-quarters' annual salary or less, and one-half annual dues if receiving one-half annual salary or less;

e. A person who is regularly employed for less than 500 hours during the school year shall be obligated to pay only one-quarter the Association annual active membership dues;

f. An active member who goes on military leave shall be exempt from any Association dues obligation during the term of the leave;

g. A person who is a member of a minority local association and who is represented for purposes of collective bargaining or meet and discuss by an employee organization unaffiliated with PSEA shall be obligated to pay only one-half the Association annual membership dues. Where an agency fee is collected by the majority local, a person who is a member of a minority local association and who is represented for purposes of collective bargaining or meet and discuss by an employee organization unaffiliated with PSEA shall be obligated to pay the annual active membership dues less their agency fee, but in no event less than twenty-five dollars;

h. Active members of the Association who are otherwise not eligible for membership in NEA shall pay to the Association in addition to the annual active membership dues of the Association a sum equivalent to the dues paid by active members to NEA.

4. Active members of the Association who have been enrolled as life members of the Association shall be accorded the rights and benefits of active membership as long as they have paid the dues required of them.

5. Association active members alone shall be entitled to vote and hold office

in the Association governance structure, except as provided as follows:

a. Student PSEA shall be entitled to voting delegates at the Association House of Delegates as prescribed by the constitution and bylaws;

b. PSEA-Retired shall be entitled to voting delegates at the House of Delegates as prescribed by the constitution and bylaws.

6. Annual active membership dues of the Association shall be seventy-eight hundredths of one percent (.0078) of the actual statewide average instructional salary in the public schools for the school year ending fourteen months prior to the beginning of the membership year for which dues are being calculated; provided, however, that in no membership year shall the dues be less than the dues of the previous year. The calculation of the dues shall be done by the Association based upon data provided by the Pennsylvania Department of Education. Any fractional amount in Association dues shall be rounded to the nearest dollar.

B. Reserve Membership

1. Reserve membership shall be available to any active member who is on unpaid leave, or who has held active membership in the Association but whose employment status no longer qualifies that individual for such membership.

2. A person shall be eligible for reserve membership status if he or she satisfies the following two requirements:

a. Membership in the appropriate category of membership, if available, during the current school year and the school year immediately preceding his or her eligibility for reserve membership;

b. Payment of the annual reserve membership dues of the Association.

3. The annual reserve membership dues of the Association shall be one-fourth the annual active membership dues of the Association.

4. Reserve members shall be entitled to such Association benefits and services as may be prescribed by the board of directors.

C. Affiliate Membership

1. Any person who is an active, dues-paying member of an affiliate of the Association shall be entitled to affiliate membership in the Association.

2. Affiliate members shall be entitled to such Association services and benefits as may be approved by the board of directors.

D. Student Membership

1. Any person who is an active, dues-paying member of Student PSEA and is a student member of NEA shall be entitled to student membership in the Association.

2. Associate membership shall be open to any persons serving as advisors to a student chapter as long as he or she is not part of a bargaining unit represented by PSEA.

3. Student members shall be entitled to such Association services and benefits as may be approved by the board of directors.

E. Life Membership

1. Any person who is an active member of the Association and who has paid the life membership dues of 20 times the annual active membership dues of the Association, effective December 31, 1972, shall be continued as an active life

member of the Association, subject to the following qualifications:

a. Active, dues-paying membership in the local association, if available, where such membership was required as a condition of Association life membership at the time of his or her enrollment;

b. Active, dues-paying membership in the National Education Association where such membership was required as a condition of Association membership at the time of his or her enrollment, or where the person became a member of the National Education Association subsequent to enrollment.

2. Any person who is no longer an active life member of the Association by reason of retirement shall be entitled to retired membership and to such Association services and benefits as may be approved by the board of directors.

3. No person shall be enrolled as a life member of the Association after January 1, 1978.

F. Associate Membership

1. Any person interested in education shall be eligible for associate membership in the Association. Annual dues shall be established by the board of directors.

2. Associate members shall be entitled to such Association benefits and services as may be approved by the board of directors.

G. Retired Membership

1. Any person who has retired from active service as a school employee, has paid the appropriate PSEA-Retired dues, and is a retired member of NEA shall be entitled to retired membership; provided, however, that a person who became a retired member of PSEA in 1984-85 and has maintained continuous membership will not be required to become a retired member of NEA.

2. Retired members shall be entitled to such Association services and benefits as may be approved by the board of directors.

3. The board of directors shall establish the dues structure for retired members.

4. PSEA-Retired shall be entitled to such representation in the Association non-governance structure as may be approved by the board of directors.

H. Substitute Membership

1. Any person employed on a day-to-day basis in educational work in Pennsylvania shall be entitled to substitute membership in the Association.

2. The board of directors shall establish the dues for substitute members and shall determine the Association services and benefits to which they shall be entitled.

I. Education Support Professional Membership

1. Any person actively engaged in educational support work in Pennsylvania shall be entitled to education support professional membership in the Association. An education support professional member must satisfy the following requirements:

a. Membership in the National Education Association, where eligible, and in a local association where available;

b. Eligibility under applicable laws and regulations to serve in the educational support position in which employed; and

c. Payment of the membership dues and assessments of education support professional members.

2. Education support professional members shall have all of the rights and privileges of active members in the Association unless specifically provided otherwise in these bylaws.

3. Membership dues and assessments of education support professional members shall be as follows:

a. Twelve- and eleven-month employees shall pay one-half the dues of active members of the Association;

b. Ten- and nine-month employees shall pay one-quarter the dues of active members of the Association;

c. Those working four hours per day or less shall pay one-eighth the dues of active members of the Association;

d. Those working up to two hours per day shall pay one-sixteenth the dues of active members of the Association.

Article III – Regions

A. A region shall consist of local associations and coordinating councils which are within the geographical boundaries of the region.

B. There shall be at least 5,000 active members of the Association or major fraction thereof in every region. Should the active membership in any existing region fall below that number, the board of directors shall, as soon as practicable, reapportion the affected region so as to guarantee continued region status and representation on the board of directors, provided that the governance rights of other regions shall not be adversely affected by virtue of the reapportionment.

C. Subject to the approval of the board of directors, 5,000 active members of the Association or major fraction thereof who are employed in institutions of higher education may form a statewide region. The same shall be true for administrator members as long as there is no all-inclusive local association within the state.

D. The following regions shall elect their officers in odd-numbered years: Central Eastern, Education Support Professional, Mideastern, Southern, Southwestern. The other regions--Central-Western, Midwestern, Northwestern, Western, Northeastern, Southeastern--shall elect their officers in even-numbered years. The board of directors shall establish a timetable for the election of officers in any new region, and may approve staggered election of officers in any region.

E. The term of a region representative to the board of directors shall be two years, beginning at the start of the fiscal year.

F. The duties of the region officers shall be described and defined in the region constitution and bylaws.

G. Each region shall hold an annual house of delegates prior to the annual meeting of the House of Delegates.

H. Each region shall have an executive committee composed of the region officers and such other representatives as may be provided for in the region constitution and bylaws.

I. Region expenses shall be borne by the Association in accordance with the policy of the board of directors.

J. The Education Support Professional Region shall consist of local education support professional associations and education support professional members of all-inclusive local associations throughout the Commonwealth of Pennsylvania.

K. Regions may assess members in their region to cover expenses not otherwise covered by Association appropriations, if duly approved in region constitution and/or bylaws, as necessary. Such expenses may include full- or part-time release of one officer, funding of region programs, assistance to local associations for grievance arbitrations, assistance to small local associations for attendance at region functions, assistance to locals in crisis, or such other expenses as specifically approved by the board of directors in the Association fiscal policy.

Article IV – Board of Directors

A. The board of directors shall have the following powers and duties:

1. To carry out the mandates of the House of Delegates, to establish Association policies which are not inconsistent with these mandates, and to perform such other duties as may be required by the constitution and bylaws;

2. To censure, suspend, or expel a member of the Association for reasons which are described in the constitution and bylaws and in a manner which guarantees the due process rights of the member;

3. To establish appointive commissions and committees, to fill vacancies thereon, and to define their functions, duties, and power;

4. To censure, suspend, or expel members for conduct which is inconsistent with the Association's stated purpose and objectives. No member, however, shall be so disciplined without due process. The board of directors shall also have the authority and the power to reinstate members.

The Professional Rights and Responsibilities Commission shall have the power to investigate cases of alleged violations of the appropriate PSEA code of ethics. After investigation, due notice, and hearing, the Professional Rights and Responsibilities Commission shall have the power to recommend to the board of directors censure, suspension, or expulsion of any member for violation of the appropriate code.

The Professional Rights and Responsibilities Commission, after investigation, due notice, and hearing, shall have the responsibility to recommend to the board of directors the application of a sanction to any member, individual, or agency.

The board of directors shall have the power to review and to accept, reject, or modify after hearing, if requested, the recommendation of the Professional Rights and Responsibilities Commission.

Any member subject to censure, suspension, or expulsion shall have a right to appear in his or her own behalf before the board of directors. The board of directors shall have the power to reinstate any suspended or expelled member.

5. To call special meetings of the House of Delegates by a three-fourths vote of its voting members;

6. To represent the Association in negotiations with bargaining unit members;

7. To employ and fix the employment in terms and conditions of bargaining unit members;

8. To employ, terminate, and fix the employment terms and conditions of an executive director and other management employees, with each employment contract not to exceed four years;

9. To appoint a qualified accountant to audit the books and funds of the Association;

10. To budget and allocate Association funds, to approve the expenditure of Association funds for purposes not expressly budgeted, and to fix the amount of a surety bond;

11. To approve the establishment of new local associations and regions;

12. To set the time and place of the annual meeting;

13. To prepare and recommend to the House of Delegates for its adoption the order of business and the standing rules for each meeting of the House of Delegates;

14. To delegate such duties as it deems appropriate and to perform such duties and exercise such powers which are expressly or by implication provided for in the constitution and bylaws.

B. A majority of the officers shall constitute a quorum of the board of directors.

C. Members of the Association's board of directors shall not be personally liable for monetary damages for any action taken or for any failure to take any action, except as provided for by Title 15 of the Pennsylvania Consolidated Statutes, Chapter 57, Subchapter B (regarding fiduciary duties of directors of non-profit corporations), 15 Pa. C.S. §§ 5711 *et seq.*

Article V – Executive Officers

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

1. To represent the Association as spokesperson on policy matters;

2. To serve as chairperson of the board of directors;

3. To serve as an ex-officio member without vote on all committees which are approved by the governing bodies of the Association;

4. To report at each meeting of the House of Delegates as to the disposition of resolutions and new business items adopted at the preceding meeting of the House of Delegates;

5. To serve as the chairperson of the House of Delegates;

6. To serve as alternate for the Association representatives on the National Education Association board of directors, consistent with Association policy;

7. To sign jointly with the executive director for disbursements from the general fund;

8. To nominate the members of all Association appointive committees and commissions;

9. To perform such other functions as may be approved by the board of directors or which are customarily assumed by the chief executive officer of an association, including the right to delegate certain duties to the officers and to the executive director.

B. The vice president shall have the following powers and duties:

1. To perform the duties of the president in the absence of the president;

2. To perform such duties as are delegated by the president.

C. The treasurer shall have the following powers and duties:

1. To serve in the preparation of the Association's annual budget;
2. To receive all monies of the Association and to pay out the same upon order of the board of directors;
3. To furnish a surety bond, as fixed by the board of directors;
4. To report to the board of directors at its monthly meetings all Association receipts and disbursements;
5. To have the Association's annual report published in the official Association Voice and in the program of the meeting of the House of Delegates following the close of the fiscal year;
6. To perform such other duties as may be assigned by the board of directors.

Article VI – Executive Director

A. The executive director shall have the following powers and duties:

1. To keep a record of the proceedings of the board of directors and the House of Delegates;
2. To prepare vouchers signed by the president;
3. To recommend the employment of bargaining unit members and management employees;
4. To carry out those administrative functions which are assigned by the board of directors or which are customarily performed by the chief administrator of an association.

Article VII – House of Delegates

A. The House of Delegates shall have the following powers and duties:

1. To initiate general policies of the Association;
2. To conduct the business of the annual meeting as prescribed in the standing rules;
3. To elect, on ballot forms prepared by the board of directors, the executive officers of the Association;
4. To elect, on ballot forms prepared by the board of directors, the Association representatives to the National Education Association board of directors and alternates including the president. The number of alternate positions including the president shall be equal to the number of Association representatives to the National Education Association board of directors. The president's election and term as alternate shall coincide with his or her election and term as president. Alternates other than the president shall be elected for a one-year term at the annual House of Delegates in accordance with the requirements set for the Association representatives to the National Education Association board of directors, provided that where the number of nominees is equal to or less than the number of alternates to be elected, the chair shall declare such nominees elected. Alternates shall serve in order as determined by the board of directors;
5. To recall an executive officer of the Association;
6. To exercise all other powers which are customarily conferred upon the supreme governing body of an association.

B. Delegates shall not be seated at the annual meeting until they have presented a certificate of election signed by an officer of the body which they represent.

C. The delegation of a local association whose members' dues and/or assessments are in arrears and delinquent for the previous year or years and are not paid in full by October 15 following the end of the fiscal year, may be refused seating at the December meeting of the House of Delegates as determined by the board of directors. If the above-mentioned delinquent dues are not paid by February 15, the delegation of the association shall be refused seating at the May House of Delegates unless otherwise determined by the board of directors. When such an instance occurs, PSEA shall, upon the recommendation of legal counsel, cause to have the accounting record of the local association examined by an independent certified public accounting firm, said costs to be paid by PSEA.

Article VIII – Coordinating Councils

1. In order that there may be coordination of interest and activity within the geographical area of the county or intermediate unit of which there is more than one local association, a coordinating council which shall include in its structure representatives of the local associations within the area of the county or intermediate unit may be organized with the approval of the executive committee of the region.

2. The duties of the coordinating council shall be to assure communications and coordination of activities among the local associations, the region, and the Association.

3. The coordinating council's powers shall be those approved by a majority of the participating local associations and the board of directors.

4. Each coordinating council shall be financially supported through the payment of equitable contributions made by each of the constituent local associations according to the budgetary requirements approved by the coordinating council and ratified by a majority of the constituent groups.

Article IX – Local Associations

1. A local association may be organized by the active members within a school district, intermediate unit, vocational-technical school, other public or non-public, nonsectarian school entity, government agency or government-funded entity providing education services, or institution of higher education.

2. A local association may establish categories of membership which are consistent with the Association's categories of membership.

3. A local association may take any of the following forms:

a. Exclusively non-administrative and non-supervisory members (“Teacher Only”);

b. Any combination of non-administrative and non-supervisory members, education support professional members, and administrative and supervisory members (“All-Inclusive”);

c. Exclusively administrative and supervisory members (“Administrator Only”);

d. Exclusively education support professional members (“Education Support Professional Only”).

For purposes of this section “non-administrative and non-supervisory members” shall not include education support professional members.

4. If there is no local association in a unit described in paragraph one above, an active member from that unit may enroll for membership in another local association.

5. Administrators and supervisors who are active members of the Association, who are ineligible for membership in an all-inclusive local association, and who are employed in the same region may form a regionwide local association as long as there is no all-inclusive local association in that region.

6. Active members of the Association who are employed in institutions of higher education and in the same region may form a regionwide local association.

7. Local associations shall require recognition and approval by the board of directors upon recommendation of the region executive committee.

8. Local associations shall adopt the code of ethics of the Association.

9. Local associations shall be reviewed by the Association for compliance purposes at least once every five years.

10. Local associations shall have the same membership year as the Association.

11. Subject to approval by the board of directors, a local association may participate in the Labor Solidarity Partnership pursuant to an agreement between the National Education Association and the AFL-CIO and thereby may become a member of a central labor council of the AFL-CIO. The Association president shall be a member ex officio without vote of a local association that is a member of a central labor council. In the event that local associations in the aggregate qualify for representation on the Pennsylvania AFL-CIO executive council, the first representative shall be the Association president and additional representatives shall be elected by local associations that are members of a central labor council through a process approved by the board of directors.

Article X – Remedies

A. Trusteeship

In recognition of the fact that the Association has provided and will continue to provide assets to establish and strengthen local associations and in recognition of the fact that, at any moment in time, local association and the Association assets are merged, and in recognition of the Association’s duty to all PSEA members to assure compliance with Association governing documents and policies, it is deemed necessary and desirable to protect Association assets and the welfare of Association members as follows:

1. The board of directors of PSEA, upon the request by a majority of active members of the local association or by the region executive committee or by a majority vote of the board of directors of the Association, may by a two-thirds vote, impose a trusteeship upon a local association, if it finds that there is credible evidence of any one of the following:

(a) Theft or conversion of assets or serious or imminent danger of theft or conversion of assets;

(b) Fraud by any responsible local association official which endangers the integrity or safety of assets;

(c) Transfer or misappropriation of assets to an unauthorized third party or serious or imminent danger of such transfer or misappropriation;

(d) Negligent care or custody of assets creating danger to the integrity or safety of assets;

(e) The local association's conduct is in serious conflict with the Association's governing documents, its policies, or the welfare of the members of the local association.

2. The imposition of the trusteeship shall become effective immediately upon the finding by the board of directors, after a preliminary hearing. All local association officials shall cooperate immediately in the establishment of the trusteeship.

3. A full hearing shall be held as soon as practicable before the board of directors to determine whether there is a need to continue the trusteeship. In addition, a full and accurate accounting and inventory of all assets shall be accomplished in an expeditious manner.

4. Should it be determined that the trusteeship need be continued, it shall be continued only so long as necessary to reestablish proper local association controls, to correct conduct in serious conflict with the Association's governing documents, its policies, or the welfare of the members of the local association, and to assure that assets being held for PSEA or other parties having a proper claim are properly distributed. All assets belonging to the local association shall be returned to the control of the local association as soon as these ends are accomplished.

5. The board of directors shall appoint one or more trustees to assume control of the local association under trusteeship. The trustee or trustees shall be active members of the Association who are employed in the local association's region.

B. Recall

1. An executive officer of the Association may be recalled from office by two-thirds vote of the registered delegates to the House of Delegates. Recall shall be initiated by a recall motion signed by at least 200 delegates representing at least five regions.

C. Member Discipline

1. A member may be censured, suspended, or expelled for a violation of the appropriate code of ethics of the Association or for conduct which is inconsistent with the Association's stated purpose or objectives.

2. Any member who is not current with his or her financial obligation to any local association, the Association, or National Education Association shall not be entitled to represent the Association in any elected, appointed, or official capacity.

3. A charged member shall be provided with due process guarantees.

Article XI – Non-governance Structure

A. Elective Committees

1. The two elective committees of the Association shall be the Committee on Resolutions and the Committee on Legislation.

2. The Committee on Resolutions shall report to the Association at the annual meeting of the House of Delegates.

3. The Committee on Legislation shall prepare and propose to the House of Delegates a legislative program and shall work actively to secure the enactment into law of such measures as are approved by the Association. It shall scrutinize all proposed legislation tending to affect education in the state and shall seek and execute the instructions of the board of directors concerning it. It shall report at the annual meeting of the Association.

4. Unless otherwise provided in the bylaws, the composition of each committee shall reflect the composition of the board of directors with each region being entitled to the same number of committee members as region representatives, with Student PSEA, PSEA-Retired, and the respective departments being entitled to a single representative each, and an ethnic minority representative.

5. Region committee members shall be elected by the region house of delegates for two-year terms, beginning the September 1 following their election. When a region is entitled to more than one committee member, the members shall be elected to serve overlapping two-year terms with one member being elected each year. The timetable for elections to the two committees shall be established by the board of directors with the concurrence of each region executive committee.

6. The chairpersons of elective committees shall be elected by the committees from their membership.

B. Appointive Committees and Commissions

1. Unless otherwise provided in the bylaws, the composition of any standing appointed committee, commission, council, or board shall be determined by the board of directors. Where the composition of such an appointed group is based on the composition of the board of directors, subsequent changes in region representation on the board of directors shall be reflected in region representation on the appointed group. Each region shall be entitled to at least one representative.

2. The appointive committees and commissions of the Association shall be such commissions and committees as may be established by the board of directors.

3. Each appointed committee, commission, council, or board shall report to the Association at the annual meeting.

4. The chairpersons of committees and commissions shall be elected by the committees and commissions from their respective memberships.

C. Council on Instruction and Professional Development

1. The Council on Instruction and Professional Development shall consist of two members elected from each region, a member elected from PSEA-Retired, the presidents or their designees of the recognized departments of the Association, an ethnic minority representative, and the president or designee of the president of Student PSEA. Each elected member shall serve for a two-year term.

2. Region committee members shall be elected by the region house of delegates to serve overlapping two-year terms beginning the September 1 following election with one member being elected each year.

3. A majority of the region members of the council shall constitute a quorum to do business. The chairperson of the council shall be elected by the council from its membership.

4. The council shall promote the educational objectives of the Association and advise and make recommendations to the board of directors. It shall promote workshops, clinics, conferences, and other meetings in order to improve instruction, perfect the art of teaching, and advance the professional education program of the Association.

D. Departments

1. The following departments are authorized: Department of Administration and Supervision, Department of Higher Education, Department of Pupil Personnel Services, and Department of Career and Technical Studies.

2. Each department shall have such officers as are necessary. Their terms of office shall not exceed two years, and their election shall be conducted in accordance with the constitution of the applicable department.

3. The president of each department shall have general control and supervision of the annual business meeting and other conferences or workshops of the department. The president shall cooperate with the president of the Association in directing and vitalizing the activities of the department to the end that the policies and program of the whole Association may be properly integrated.

4. A department may decide the time and place of its annual business meeting, subject to the approval of the board of directors.

5. Each department shall have an executive committee composed of its officers and such other representatives as provided in the constitution and bylaws of the department.

E. Affiliates

1. The board of directors shall be empowered to affiliate with the Association any organization whose purposes and objectives are consistent with those of the Association.

2. Affiliation shall be consummated through an affiliation agreement approved by the board of directors.

Article XII – Expenses

The ordinary expenses of the Association, the IPD Council, regions, departments, commissions, and committees and their officers, as determined by the board of directors, shall be borne by the Association.

Article XIII – Special House of Delegates

1. A special House of Delegates shall be called by the president upon the presentation of a petition signed by at least five percent of the active members of the Association from at least half of the regions, provided such petition shall contain at least 4,000 signatures. The call shall describe the business to be conducted at the

special House.

2. Upon receipt of the petition, the president shall within five days issue a call to delegates. The special House shall be held within 45 days of the receipt of the petition.

3. Each special House of Delegates shall be held in Harrisburg unless it is impossible to obtain a meeting site. In the latter case, the executive director shall locate and obtain a meeting site as convenient as possible for most of the delegates.

4. Only business stated in the call of the meeting may be conducted at a special House of Delegates.

Article XIV – Association Pension Plan Directors

1. The pension plan directors shall consist of seven members as follows:

a. the president of the Association;

b. the executive director of the Association who shall be a nonvoting-member;

c. a member of the board of directors elected by the board of directors;

d. two employees of the Association elected for three-year terms by the Association employees; and

e. three members of the Association elected at large for three-year terms by the House of Delegates.

The House of Delegates shall elect one for a three-year term each year in accordance with the succession in effect at the time this article is adopted. Where there is only one nominee before the House of Delegates, the chair shall declare such nominee elected. The president of the Association shall be the chairperson; the executive director of the Association shall be the secretary.

2. The pension plan directors shall have complete control of the administration of the plan for employees of the Association as adopted by the House of Delegates on December 27, 1950, and subsequent amendments adopted in accordance therewith.

Article XV – Permanent Fund and Headquarters

1. All duties formerly held by the trustees of the permanent fund and permanent headquarters shall revert to the board of directors. They shall review annually the investment of all monies of said fund and shall receive appropriate reports of investments made on the advice of the investment counselor which shall be in bonds properly issued by the several school districts of Pennsylvania or in municipal bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits and any securities that are considered legal for trust accounts in the Commonwealth of Pennsylvania. Additions to the permanent fund shall be made only on recommendations of the board of directors.

2. Money may be withdrawn from the permanent fund for purposes recommended by the board of directors when appropriated to such purposes as are approved by the board of directors.

Article XVI – Effective Date

All subdivisions and members of the Association shall make any changes necessary to conform with the provisions of this constitution and bylaws prior to their effective date. The interpretation of the manner of effecting such changes shall be vested in the board of directors.



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