

# Brentwood Teachers Association Constitution and Bylaws

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ARTICLE I - Name

The name of the Association will be the Brentwood Teachers Association.

ARTICLE II - Purpose

Section 1 To work for the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all.

Section 2 To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

Section 3 To unify and strengthen the teaching profession and to secure and maintain salaries, retirement, tenure, professional and sick leave, and other working conditions necessary to support teaching as a profession.

Section 4 To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the Board of Education and other legal authorities.

Section 5 To hold property and funds and to employ a staff for the attainment of these purposes.

ARTICLE III - Active Members

Section 1 Regular Members

- a. Active membership in the Association shall be open to all professional personnel employed full time in the Brentwood Schools. Such members must be employed in a non-supervisory capacity. All members agree to abide by the Code of Ethics of the Education Profession.
- b. Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
- c. The elected officers of the Brentwood Teachers Association will be the exception to (a) and (b) above. Officers will be considered active members of the Brentwood Teachers Association.

Section 2 Substitute Members

Active membership in the Association shall be open to professional personnel employed as permanent substitute teachers and substitute teachers upon their 20<sup>th</sup> day of employment in the Brentwood School District. Such members agree to abide by the Code of Ethics of the Education Profession.

Section 3 Part-time Members

Any teacher who has a contract for 40 percent of a teacher's full schedule shall be eligible for membership.

Section 4 Revocation of Membership

According to procedures adopted by the Representative Council, the Executive Board may suspend from membership or expel any member who shall have violated the ethics of the education profession; may cancel the membership of any member convicted in a court of law of a crime involving moral turpitude; and may reinstate a member who has previously been suspended or expelled from the Association.

Section 5 Affiliated Chapters

- a. Special membership in this Association shall be available to those individuals who are members of an affiliated chapter, and who also apply simultaneously for special State and National membership. Special members will have full voting rights within their own chapter and shall have representation on the BTA Executive Board.
- b. The Association may permit the affiliation of the various non-administrative bargaining units of the District. Such affiliates would be in the form of a chapter of the BTA.
- c. The prospective chapter or existing chapter must meet all criteria for affiliation as determined by the BTA Executive Board. Failure to meet the established criteria will constitute grounds for denial or discontinuation of affiliate status.

Section 6 Special Members

Special members shall pay annual local dues as established by the Executive Council, plus the established special dues by the State and National affiliates.

ARTICLE IV - Officers

Section 1 The officers of the Association shall consist of a President, Executive Vice President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Treasurer, and Secretary.

Section 2 Whenever a majority of the Executive Council shall agree that an Officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend to the House of Delegates that the office be declared vacant. If the House of Delegates so votes by a two-thirds majority, it shall immediately elect a replacement to fill the unexpired term.

ARTICLE V - Executive Council

Section 1 The Executive Council shall consist of the Officers of the Association, three members of the House of Delegates elected by that body, and one Chief Delegate elected by that body. In addition, the chairpeople of the standing committees shall also be members of this Council.

Section 2 Under personnel policies adopted by the House of Delegates and within the annual budget, the Executive Council shall have power to employ a staff for the efficient management of the Association.

Section 3 Whenever a majority of the Executive Council shall agree that an Officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend to the House of Delegates that the office be declared vacant. If the House of Delegates so votes by a two-thirds majority, it shall immediately elect a replacement to fill the unexpired term.

ARTICLE VI - Sections

Section 1 Sections

With the approval of the House of Delegates under policies adopted by that body, members may organize Sections to consider specific instructional interests that are not an appropriate concern for the total membership of the Association.

Section 2 Prerequisite

Membership in the Association shall be a prerequisite for membership in Sections.

ARTICLE VII - House of Delegates

- Section 1 The legislative and policy-forming body of the Association shall be the House of Delegates.
- Section 2 The House of Delegates shall consist of the Executive Council and representatives elected from among the active membership as prescribed in the Bylaws.
- Section 3 Any active member of the Association who is not a member of the House of Delegates may attend its meetings, shall sit apart from the voting body, but may receive permission to speak.
- Section 4 The term of office for the three at-large delegates elected from the floor of the House of Delegates to the Executive Council and the delegates elected to the House of Delegates shall be from the October House of Delegates' meeting to, but not including, the following October House of Delegates' meeting.

ARTICLE VIII - Affiliation

- Section 1 The Association may affiliate with the State Education (Teachers) Association under its rules (if such affiliation is possible). The Association may also affiliate with other appropriate associations approved by the House of Delegates.
- Section 2 The Association may unify with any appropriate organization under rules and procedures to be formulated by the Executive Council.
- Section 3 The Association may merge with any appropriate organizations under rules and procedures to be formulated by the Executive Council.
- Section 4 Actions referred to under Article VIII, Sections 2 and 3, are subject to the approval of the House of Delegates.
- Section 5 Actual merger and/or unification is subject to the approval of the general membership.

ARTICLE IX - Amendments

Section 1 An amendment of the Constitution must be introduced in writing at any meeting of the Executive Council by a member of the House of Delegates and shall be presented for action with recommendations of the Council at the next meeting of the House of Delegates.

Section 2 Notices of the voting for a proposed amendment shall be posted in each building at least 10 days prior to the meeting at which the voting is to take place.

Section 3 Adoption of an amendment shall require approval of two-thirds of the delegates in good standing present.

ARTICLE X - Incorporation

The Association may, with the approval of the House of Delegates, incorporate under the state laws of New York State relating to non-profit organizations.

ARTICLE XI - Meetings

Meetings of all duly-constituted bodies of this organization shall be governed by Robert's Rules of Order, Newly Revised, except as otherwise provided in this Constitution and Bylaws.



BYLAWS

ARTICLE I - Membership

Active membership in the Association shall be open to all Regular, Substitute, and Part-time Members (per Article III, Sections 1, 2, 3 and 5).

ARTICLE II - Meetings

Section 1 Executive Council

The Executive Council shall meet regularly each month at the call of the President or at the request of five members of the Council.

Section 2 House of Delegates

- a. The House of Delegates shall meet at least once a month on regularly-scheduled days. When holidays or other such items on the school calendar interfere with the meeting date, the House of Delegates may elect to hold a regularly-scheduled meeting at an alternate date. The first meeting is to be held sometime within the month of October.
- b. The Executive Council shall prepare the agenda for each meeting and, when possible, circulate it to the members of the House of Delegates so that they may have time to discuss it with their faculty members in advance of the House meeting.

Section 3 Chief Delegates

The Chief Delegates shall meet regularly each month at the call of the President. These meetings should, whenever possible, be scheduled after the Executive Council meeting and before the House of Delegates' meeting.

Section 4 Building Meetings

There shall be building meetings called by the Chief Delegate or 10 faculty members of the building, provided there is advance notice of 24 hours. Notice of the meeting may be by PA and/or written.

Section 5 Special Meetings

Special meetings of the House of Delegates shall be held at the call of the President or the Executive Council or a petition to the Executive Council or President by one-third of the House of Delegates. Business to come before the special meeting must be stated in the petition and in the call, which shall be sent in writing to each delegate.

Section 6 General Membership Meetings

The Executive Council may arrange meetings of the members each year for discussion of professional issues.

ARTICLE III - Quorum

A majority of their members shall be a quorum for the Executive Council. More than 40 percent of their members shall constitute a quorum for the House of Delegates.

## ARTICLE IV - Power of Officers

### Section 1 President

The President shall preside over meetings of the House of Delegates, appoint the chairpeople and members of standing committees, and be ex officio a member of all standing committees, and shall be the Executive Officer of the Association. The President shall represent the Association before the public, either personally or through delegates, and shall perform all other functions usually attributed to this office. The President shall be considered the Chief Delegate to all conventions and shall be entitled to be a delegate automatically.

### Section 2 Vice Presidents

The duties of the Vice Presidents as follows: Executive Vice President, 1<sup>st</sup> Vice President, and 2<sup>nd</sup> Vice President – shall be to assume the duties and responsibilities of the President in his absence and to perform such other duties as the President may designate.

### Section 3 Treasurer

The Treasurer shall:

- a. Hold the funds of the Association and disburse them upon authorization by the Executive Council.
- b. Maintain a roll of the members.
- c. Keep accurate accounts of receipts and disbursements.
- d. Report to each meeting of the House of Delegates and prepare an annual financial statement for publication to members as directed by the Executive Council.
- e. Keep the President and Executive Council informed of the financial condition of the Association.
- f. Assist in the initial drafting of the annual budget.

### Section 4 Secretary

- a. Secretary shall keep all records pertaining to attendance at meetings of the Executive Council, House of Delegates, and general meetings.

- b. Secretary shall keep a record of all business transacted at the meetings of the Executive Council, House of Delegates, general meetings, and any special meetings called by the President and/or the Executive Council.
- c. Secretary will maintain a record of all bylaws and constitutional amendments proposed and/or adopted at any meeting specified in (b) above.
- d. Secretary is completely responsible for maintaining records of dues payments of professional staff and ensuring that they correspond with the state and national affiliates' membership lists.

Section 5 Terms of Office

The officers of the Association shall serve for two years and may be reelected. The terms of office shall be for two years and shall commence on July 1 in the year of the election.

ARTICLE V - Power of the Executive Council

Section 1 The Executive Council shall be responsible for the management of the Association, approve all expenditures, carry out policies established by the House of Delegates, report its transactions and those of the Council to the members, and suggest policies for the consideration of the House of Delegates.

Section 2 The Executive Council shall represent the Association in negotiating and personnel policies with the governing and appropriating bodies of the school system. Within policies established by the House of Delegates, it may make decisions binding the Association in these matters. The Executive Council may delegate its power to negotiate to another committee or representative.

Section 3 If a resolution is adopted or defeated by the Executive Council, all members of the Council shall be bound to that decision on the floor of the House of Delegates, unless a member or members of the Executive Council state their intention to make a minority report to the House of Delegates. Absence from the meeting precludes the right to a minority report.

When a minority report is to be given to the House of Delegates, the President will announce the tabulation of the voting of the Executive Council on the issue or motion involved. There will be but one minority report filed by those who wish to present their views.

ARTICLE VI - Power of the House of Delegates

The House of Delegates shall approve the budget, set the dues for the Association, act on reports of committees, approve resolutions and other policy statements, and shall adopt procedures for implementing the Code of Ethics of the Education Profession and those to be followed in censuring, suspending, and expelling members for cause or for reinstating members. It may adopt such rules governing the employment of staff and of meetings that are consistent with this Constitution and Bylaws. It shall be the final judge of the qualifications and election of officers and faculty representatives, and powers not delegated to the Executive Council, the officers or other groups in the Association.

A roll call vote shall be used if one-quarter of the House of Delegates indicates their desire for such a vote. During a roll call vote, no other business shall be conducted.

- a. Each Chief Delegate shall be responsible for the tabulation of the vote of his/her building delegation. The names of the delegates and their votes shall be tabulated by tellers appointed for this purpose.
- b. No roll call may be used when the pending question involves the election of individuals to office.
- c. Results of roll call votes will be published in IMPACT.

ARTICLE VII - Delegates to the House of Delegates

Section 1 Active Members

Regular Members – In each public school in Brentwood, regular faculty members in good standing with this Association shall elect, for a term of one year, one faculty representative to the House of Delegates for each 10 teacher members or major fraction thereof.

Section 2 Duties

The building-based representatives, with the Chief Delegate as the chairperson, shall call faculty meetings of Association members to discuss Association business, shall appoint such faculty committees as the Association may require, and shall organize and oversee the subsequent elections of faculty representatives, the enrollment of members (in local, state, and national associations), and two-way association communication within the building.

Section 3 Responsibilities

Representatives shall attend the regular meetings of the House of Delegates unless they are excused by the Chief Delegate prior to the meeting. After three unexcused absences of a representative, the President may declare the seat unfilled and call for an election to fill out the term. The President may designate a member in good standing to organize this special election.

ARTICLE VIII - Chief Delegates

Section 1 Each building shall designate one of its delegates to serve as its Chief Delegate in accordance with the Bylaws.

Section 2 The Chief Building Delegates will serve as a primary means of contact for each building. Their duties will include attendance at Chief Delegates' meetings and the responsibility for disseminating and collecting information at the building level.

Section 3 The term of office for the at-large Chief Delegate elected by the Chief Delegates to the Executive Council shall be from the October Chief Delegates' meeting to, but not including, the following October Chief Delegates' meeting.

ARTICLE IX - Standing Committees

Section 1 Structure

There shall be 12 standing committees carrying the specific function outlined in this article. They shall have members selected to represent different groups in the Association and appointed for a term of one year. Each committee, with the approval of the Executive Council, shall organize special sub-committees and task forces for specific activities from the membership of the Association.

Section 2 Meetings

Each standing committee shall meet regularly according to a calendar developed by the Executive Council and may hold special meetings at the call of the chairperson.

### Section 3 Reports

Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpeople shall report, as necessary, to the Executive Council and the House of Delegates and shall prepare an annual report summarizing objectives, actions, programs, gains, and unreachd goals, which the Executive Council shall distribute to the members and which shall become a part of the continuing committee record in the Association files.

### Section 4 Titles and Duties

- a. NEGOTIATING COMMITTEE – The Negotiating Committee shall serve by appointment of the President. The appointments shall be confirmed by the Executive Council.

It is the responsibility of the Negotiating Committee to be the sole bargaining representative of the Association in its contractual negotiations with the representatives of the Board of Education. The primary objective of the Committee is to reach a collective bargaining agreement for its members covering wages, hours, benefits, and working conditions.

The Committee shall make every effort to bring a tentative agreement to the Executive Council. The Executive Council shall decide whether or not to bring said agreement to the membership for a ratification vote.

- b. GRIEVANCE COMMITTEE - The Grievance Committee shall be headed by a chairperson appointed by the President. The Committee shall consist of members in good standing of the Association. The prime responsibility of the Committee shall be to insure that teachers' rights are secured through enforcement of the grievance procedure and implementation of grievance policy as set by the Committee and the Executive Council.

The Grievance Committee shall be responsible for deciding whether a grievance is meritorious within the guidelines of the contract and the law. The Grievance Committee shall also be responsible for aiding the Negotiating Committee in any way the latter sees fit.

The final determination of grievance policy rests with the Executive Council and the President.

- c. RESEARCH AND EDUCATION COMMITTEE – This committee shall develop action programs to improve welfare of the students, to facilitate the advancement of education of students, and to improve the instruction opportunities for all.
- d. PROFESSIONAL RELATIONS COMMITTEE – To organize and conduct unified local, state, and national membership enrollment among non-members, and to inform members of the policies.
- e. PROGRAM AND SOCIAL AFFAIRS COMMITTEE - To develop and conduct programs for the orientation of new teachers to the community, the school system, and the associations. A general membership informational meeting will be held at least twice a year for the dissemination of information to members.
- f. COMMUNICATIONS COMMITTEE – This committee shall be responsible for assisting the President or his/her designees in acting as a spokesman for the BTA and for distributing information within the BTA. This committee is to coordinate all aspects of communication for the Association. The Coordinator of Communications shall be the chairperson of the Communications Committee, which shall be responsible for the publication of the Association newsletter, the community bulletins, special releases, and any information communiqués. It shall disseminate any information to the media and act as a channel for all other forms of communication as the need arises.
- g. PROFESSIONAL COUNCIL COMMITTEE – A chairperson shall keep records and shall call meetings when a case of transfer or dismissal would merit a hearing. The Professional Council shall meet to discuss and study those subjects referred to this Council by the provisions of the contract as stipulated in Articles 9, 11, and 21. They will meet to review and resolve conflicts that may arise between teachers. They shall use the Code of Ethics to determine the status of BTA members. The BTA will then take action against any member from censure to expulsion of said member from the BTA and forfeit all rights thereof.
- h. RETIREMENT COMMITTEE – Retirement delegates shall advise members of the Association on matters pertaining to retirement. They also will make recommendations to the Political Action Committee. A chairperson shall keep records.
- i. BUDGET ADVISORY COMMITTEE – This committee shall be chaired by the Treasurer of the BTA and shall have the following obligations:
  - 1. To meet with the chairpeople of the major committees to discuss allocations for the next fiscal year's budget.

2. To draw up the preliminary budget for the next fiscal year.
3. To present the preliminary budget to the Executive Council and then to the House of Delegates in May of each year.
4. To discuss additional requests for allocations to the present budget with those making the request and to present the findings of those discussions to the Executive Council.

j. POLITICAL ACTION COMMITTEE

- 1) a. The BTA Political Action Committee, created by constitutional amendment in December, 1974, shall become the BTA Political Education Committee.
- b. The BTA Political Education Committee shall be a standing committee of the Brentwood Teachers Association.
- c. Membership in the BTA Political Education Committee shall consist of 10 members of the BTA to be chosen by the chairperson of the committee. All officers of the Brentwood Teachers Association shall, in addition, be members ex officio of the Political Education Committee.
- d. A simple majority of six members of the committee shall constitute a quorum to do business, but such simple majority must include no fewer than four committee members who are not officers of the Brentwood Teachers Association.
- e. The BTA Political Education Committee shall meet at the call of the chairperson, or whenever three or more non-ex officio members request that a meeting be held.
- 2) a. The essential purpose of the BTA Political Education Committee shall be to advise members of the Brentwood Teachers Association as to pending legislation, policies of government, and election campaign developments that the committee considers of interest and importance to Association members.
- b. The BTA Political Education Committee shall refrain, as a body, in its essential purpose as outlined in (a), from advocating a position on any issue, governmental trend or support of any candidate for public office. This clause, however, should not be deemed to preclude the possibility of any member of the BTA Political Education Committee from taking a

position of advocacy with respect to issues, governmental trends or support of any candidate for public office. It should be understood that in the event such member(s) of the BTA Political Education Committee choose to take such roles of advocacy, they shall do so as individual members of the Brentwood Teachers Association, New York State United Teachers, or simply as private citizens, but not as members of the BTA Political Education Committee.

- c. The essential purpose as outlined in (a) shall be carried out in the following ways: (1) through memoranda to all members of the BTA; (2) through the organization of events such as luncheons, dinners, and cocktail parties sponsored by the Brentwood Teachers Association at which members will have the opportunity to meet public officials; (3) through the organization of BTA-sponsored "candidates' nights" at which members will have the opportunity to meet public officials and their opponents for public office.
- 3) a. The Political Education Committee of the BTA, a standing committee of the Association, will receive normal operating funds from the treasury of the BTA upon submission and acceptance of its budget for each school year.
- b. Normal operating expenses shall be defined as all (1) telephone communications necessary in the political education of the BTA membership, including telephone communication with the local, state and federal governments; (2) use of BTA staff, office facilities, equipment, and supplies.
- 4) The Political Education Committee may, from time to time, pay honorariums to political office holders and/or candidates for such offices for the purpose of furthering the political education of the membership of BTA. In such cases, all candidates for those particular offices will receive an honorarium.
- k. PUBLIC RELATIONS COMMITTEE – The BTA Public Relations Committee will be responsible for monitoring relations with the community. The committee will make recommendations to the Executive Council and House of Delegates as to possible programs and methods to improve that relationship.
- l. ELECTION COMMITTEE – Definitions: Mailing, unless otherwise required by law, shall mean the mailing by U.S. Mail or placing in the school mailing system.

Section 1 The Election Committee shall be responsible for and conduct all elections.

- Section 2 The Election Committee shall be appointed by the President and approved by the Executive Council at least 60 days prior to the election.
- Section 3 The Election Committee shall consist of five members and shall elect one member as chairperson.
- Section 4 At least 50 days prior to any election, the Election Committee shall prepare, and make available until the day of election, upon request for inspection by all bonafide candidates, a list of the names and last-known addresses of all members of the organization.
- Section 5 The Election Committee shall cause a notice of election to be mailed to each member of the organization at least 45 days prior to any election stating the office, the qualifications, date of election, and method of obtaining a place on the ballot.
- Section 6 The Election Committee may prepare a slate or person as a candidate for a particular position or office. If it does, same shall constitute nominations.
- Section 7 Any qualified member of the organization desiring to seek election to an office or position, and who is not nominated by the committee as aforesaid, may become a candidate or otherwise eligible by submitting, in writing, at least 25 days prior to the election, to the chairperson of the Election Committee, a petition indicating the name of the candidate, the office or position sought, and containing the legible signatures of at least 25 members of the organization.
- Section 8 The election shall be held upon a date designated by the Executive Council.
- Section 9 Notice of the election containing the position or office and names of candidates, the date, time, place of election, and method of obtaining a ballot, shall be mailed by U.S. Mail to the last-known address of each member of the organization at least 15 days prior to the date of the election.
- Section 10 The votes shall be separately counted and announced.
- Section 11 All ballots and records of the election shall be retained by the organization at the office for at least one year from the date of the election.

Section 12 The Election Committee shall be ultimately responsible for determination of the eligibility of candidates and all questions relating to the election.

Section 13

- a. The Election shall be by secret written ballot.
- b. A referendum may be held at the request of and the approval of either Executive Council and/or the House of Delegates. This referendum may or may not be binding upon the Association contingent upon the dictate of said referendum.
- c. An absentee ballot may be used for all district-wide elections. The procedure will be established by the Election Committee.

Section 14 The Election Committee may adopt rules and regulations governing the election that shall provide for a fair election by secret ballot and include but not be limited to:

- a. Requirement of a single-page ballot.
- b. The slate or person nominated by the Nominating Committee shall be listed at the top of the ballot and others shall be listed in the order in which the petitions are received.
- c. Provisions for a ballot box and ballots to be available in each school building in use within the District upon the day of election during normal school hours.
- d. Designation of persons responsible for the security of the ballots and ballot box shall not be candidates.
- e. Appointment of counters and a person to announce the results.
- f. Announcement of method to determine questions arising during the election; e.g., challenger to the eligibility of a prospective voter.
- g. All other rules as may be necessary.

Section 15 Each member in good standing of the organization shall be entitled to vote.

Section 16 The winner shall, for each office or position, be the person who, if two or fewer candidates seek such office, receives more than 50 percent of the votes cast for that office or position; and if more than two candidates, the person or persons receiving the highest number of votes cast for that office or position. If alternates are to be elected, they shall be those persons elected to the position and equal to the number of delegate positions. If there is a tie in votes for a position, there shall be a run-off election for such position subject to the provisions of the Bylaws.

Section 17 In the event the Election Committee fails to adopt rules and regulations required by Section 14, such section shall control. However, in the event an issue is presented and not considered in such section, it shall be the duty and authority of the Election Committee to rule upon same affording all interested an opportunity to be heard and rendering a decision to effectuate a fair election by secret ballot.

Section 18 All persons supervising the election shall file an affidavit as to the fact that they have performed their responsibilities.

#### ARTICLE X - Special Committees

Each year the President shall appoint special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the House of Delegates.

#### ARTICLE XI - Qualifications for Office

##### Section 1 General

- a. A candidate for office must have been a regular active member of the Brentwood Teachers Association in good standing for at least one school year prior to the nomination.
- b. A candidate must have taken an active part in the internal organization of the Association during the year preceding the nomination. This active participation may be as a delegate or as a member of a committee or council.

##### Section 2 Specific

- a. A candidate for the Presidency must have been an active regular member in the Association for at least three years and must have held a leadership position as

follows: Executive Officer, Member of Executive Council, or a committee chairperson.

- b. A candidate for the Vice Presidency must have met the above specific requirements for a period of two years.
- c. A candidate for the other officers must have an active regular membership in the Association for at least one year and must have been a delegate or committee chairperson for one year.
- d. The Nomination and Election Committee, whose job is to evaluate all qualifications, can decide to minimize any of the above requirements if they feel that an exceptional candidate is available who does not necessarily meet all of the above specific requirements.

#### ARTICLE XII - Authority

The President shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the House of Delegates adopts.

#### ARTICLE XIII - Amendment

These Bylaws may be amended by a two-thirds vote at any regular meeting of the House of Delegates, provided that proposed amendments have been previously studied by the Executive Council and that copies have been sent to the Faculty Representatives one calendar week in advance of the meeting.

As amended October 20, 2010