

Bylaws for North Carolina Retired School Personnel

ARTICLE 2 SECTION 4

Bylaw 1: Membership Qualifications

Any current or former resident of North Carolina who meets the following qualifications is eligible for membership in the organization :

- A. Was employed for at least five (5) years in a position that met the qualifications for NEA “Active” membership, but (a) is no longer so employed or (b) has retired and returned to such qualifying employment as a requirement of an early retirement agreement with a local school. Retirees who return to employment that qualifies for “Active” membership for reasons other than that stated in (b) are not qualified for membership in the Division.
- B. Is either (a) at least 45 years old or (b) eligible to receive a pension from an educational employment retirement system or from Social Security.
- C. Has paid the applicable life membership or annual dues to NEA-Retired (if retired since June 30, 1985), NCAE, the Division, and the applicable Region and Local Unit.

Bylaw 2: Membership Classes

Membership in the organization shall comprise a category of dues paying members and such other categories as be provided in the Bylaws. (Article II, Section 1 of NEA Const.)

- A. Each member of the organization shall also be a Retired member of NEA and NCAE and a member of his designated Local Unit and its assigned Region, with the following exceptions:
 - 1. Members who joined prior to July 1, 1985, and who elected at that time to not join NEA.
 - 2. Members who do not maintain any residence within North Carolina, and who elect not to join any Local Unit and Region.
- B. A member who becomes incapacitated and is no longer able to renew his membership may be designated an emeritus member by his Local Unit’s governing board. An emeritus member will have no official status with the Division other than to be eligible for listing in the memorials section of the Division’s newsletter and for inclusion in the memorial service at the next state convention. Local Units do not need to notify the Division office of emeritus designations except by indicating the emeritus status on a memorials report. Local Units should not include emeritus members in membership counts.
- C. Associate membership status shall be given to those persons who wish to join the organization without voting or office holding status. The dues structure shall be set by the Executive Board. Other such limitations shall be set by the Executive Board on this and any other class of membership yet to be determined.
- D. Any staff member of the Division can, by paying dues, be a non-voting/non-office holding member of the association.

Bylaw 3: Dues

- A. All **organization** members shall pay unified dues for membership in NEA-Retired, NCAE, the Division, and the applicable Region and Local Unit, with the following exceptions:
 - 1. Members who joined prior to July 1, 1985, and who elected at that time to not join NEA, do not pay NEA dues.
 - 2. Members who do not maintain any residence within North Carolina, who elect to not join any Local Unit and Region, and who pay by cash are not required to pay Region and Local Unit dues.
- B. Out-of-state payroll deduction members who do not designate a Local Unit membership will pay Local Unit and Region dues, but those dues will be retained by the organization.
- C. Organization annual dues shall be recommended by the **organization's** Executive Board and approved by the Representative Assembly.
- D. The Administrative Council, with approval of the Executive Board, will set regional Dues..

Bylaw 4: Dues Payments

- A. Members shall pay all applicable life membership fees and annual dues of NEA Retired, NCAE, the organization, its Regions, and Local Units through annual or recurring Electronic Fund Transfer (EFT) or credit card, payroll deduction or by cash payment to the Local Unit treasurer, with the exception of out-of-state members, who may elect to join directly through the Division rather than through a Local Unit.
- B. The Local Unit treasurer shall forward cash dues to the appropriate body..
- C. The membership year shall run concurrently with the Division's fiscal year from July 1 through June 30.

ARTICLE 3 SECTION 2

Bylaw 5: Election of Officers

- A. Any current member of the **organization** may nominate himself as a candidate for an office at all levels to the Elections Committee by submitting an official nomination form. The format of the nomination form shall be determined by the Executive Director in consultation with the Election Committee. The nomination form must be signed by the nominee.
- B. Nomination forms must be received at the state office of the Division no later than November 15. The Executive Director will confirm the qualifications of the nominee.
- C. All nominees shall be current members of the Division and shall have paid all applicable dues for the membership year in which the election will take place.
- D. If there is more than one candidate for any office, the election shall be by secret ballot. The Elections Committee shall distribute, collect, and count the ballots. The candidate receiving the most votes shall be declared elected. In the event of a tie between two candidates, the presiding officer shall hold runoff

ballots until the tie is broken. In the event that there are three or more candidates for an office, the candidate with the most votes will be declared elected.

- E. If there is only one candidate for an office, the chair will declare the candidate elected.
- F. If a vacancy occurs in the office of the presidency, the Vice-President/President-Elect shall succeed to that office and serve for the remainder of the current term and for the following two years.
- G. If a vacancy occurs in any office other than the office of the presidency, and if the even-year election has not yet taken place, the President shall appoint, with the approval of the majority of the Executive Board, a successor to serve until the end of the current term. This appointed officer may stand for election to this office at the next State Convention. If the even-year election has already taken place, the newly elected officer for the vacated position shall be immediately installed and serve in that office for the remainder of the current term and for the following two years.

ARTICLE 3 SECTION 3

Bylaw 6: Removal from Office

Executive officers of the organization (Local, Region, State) may be removed for malfeasance or incapacity.

- A. Removal proceedings against an executive officer shall be initiated by written petition submitted to the Executive Director by one or more members..
- B. If, after investigating, the Executive Director finds merit in the allegations, he will convene a Board of Inquiry composed of five members of the Executive Board chosen at random.
- C, The Board of Inquiry shall conduct a due process hearing to ascertain validity of the complaint. Their options are 1) affirm the complaint and refer it to the Executive Board for action or 2) dismiss the charges.
- D. If, after a due process hearing, a two thirds (2/3) vote of the Executive Board shall sustain the charge, the office shall become vacant.
- E. Succession and Vacancies.

Vacancies occurring by reason of death, resignation, incapacity, judgment of removal, or other disqualification shall be filled as follows:

- a. A vacancy in the office of President shall be filled by the Vice-President.
- b. If, during the first or second year of a term a vacancy in either the office of Vice-President, Secretary, or Treasurer occurs, such vacancy shall be filled by the Board of Directors, which shall elect a successor to serve until the next meeting of the Representative Assembly. The Representative Assembly shall then elect a successor for the remainder of the term.

Bylaw 7: Presidential Disability and Succession

- A. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.
- B. Whenever there is a vacancy in the office of the Vice President, the President shall

- nominate a Vice President who shall take the office upon confirmation by a majority vote of the Executive Board.
- C. Whenever the President transmits to the Executive Director of the NCRSP his written declaration that he is unable to discharge the powers and duties of his office, and until a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.
 - D. Whenever the Vice President and a majority of either the principal officers or the Executive Board transmits to the Executive Director their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.
 - E. Thereafter, when the President transmits to the Executive Director his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers or the Executive Board transmits within four days to the Executive Director their written declaration that the President is unable to discharge the powers and duties of this office.

ARTICLE 3 SECTION 4

Bylaw 8: NEA-R/NEA Delegates

- A. NEA-Retired/NEA delegates shall be elected by an all member statewide vote.
. (an NEA requirement)
- B. A self-nominating form will be published in an all member publication, and on the website or provided by the state upon request.
- C. Any unified member who has paid dues for the current year may run and vote.
- D. Prior to the election, the Local unit will communicate to every member the date, time and place of the NEA-Retired/NEA delegate election..
- E. Eligible members may vote for NEA-Retired / NEA delegates as follows:
 - 1. All ballots cast must be official ballots supplied by the Division's state office.
 - 2. All ballots cast must be filled in using an ink pen, not a pencil.
 - 3. An eligible member may cast one ballot.
 - 4. A member may not cast a ballot on behalf of another member.
- F. Local Units shall collect and tally the ballots from their members. The Local Unit tally of ballots for the NEA-Retired / NEA delegate election shall be conducted as follows:
 - 1. The tally must be completed by two or more Local Unit members, one of whom is the Local Unit Elections Committee Chair (or equivalent position).
The Local Unit President may not serve as the Elections Committee Chair.
 - 2. The tally must be documented on the official tally sheet provided by the organization's state office.
 - 3. The format of the tally sheet shall be determined by the Elections Committee in consultation with the Executive Director, and shall include a submission deadline

Revised October 30, 2014

- and a certification of the election process and tally results statement.
4. The certification statement on the official tally sheet must be signed by both the Local Unit President (even if the President did not participate in the tally) and by the Local Unit Elections Committee Chair (or equivalent position).
 5. Local Units shall submit all used ballots and the official tally sheet to the Division's state office so as to be received at the state office no later than the deadline date published in the official Division calendar of events.
- G. The Elections Committee shall conduct a final tally of the ballots using the tally sheets submitted by the Local Units. To ensure the validity of the ballot tally, the Elections Committee may:
1. Conduct a recount of the ballots submitted by any Local Unit when warranted.
 2. Disqualify any ballot that doesn't meet the qualifications of subsection (B). Disqualified ballots must be retained with the other ballots from the Local Unit in question and marked with the reason for their disqualification.
 3. Change the tally on the Local Unit's tally sheet to account for any disqualified ballots. The reason(s) for such disqualifications must be noted on the Local Unit's tally sheet.
- H. The Elections Committee Chair shall provide the President and the Executive Director with a written summary and certification of the results of the statewide tally once it has been completed.
- I. No portion of dues money collected at the local, region, state, or national levels shall be used to promote the candidacy of any individual for the NEA-Retired / NEA delegation.
- J. As an officer of the organization, he may not use his office to endorse or show preference for a candidate running for the NEA-Retired / NEA delegation.

ARTICLE 3 SECTION 6

Bylaw 9: Administrative Council Function

The functions of the Administrative Council are:

- A. Hire, evaluate, and dismiss Executive Director.
- B. Acts as budget and finance committee.
 1. The duties of the Budget and Finance Committee shall be:
 - a. Formulate an annual budget.
 - b. Study and make recommendations for budget adjustments to the Executive Board as needed.
 - c. Make a report of all investments annually at the spring meeting of the Executive Board and annually to the Representative Assembly.
 2. The Treasurer will serve as chair of the budgeting process with duties as follows:
 - a. Advise the Executive Director on matters of business affairs.
 - b. Receive and transmit quarterly reports and Annual Audit Report.
 - c. Report on the financial condition of the Division to the President and Executive Board.
 3. Receive and transmit quarterly reports and Annual Audit Report.

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- 4. Report on the financial condition of the Division to the President and Executive Board
- 5. The Executive Director will serve as ex officio officer.
- C. Recommend revenue and disbursement policies
- D. Acts in lieu of Board between meetings of the Board.
- E. Has authority to undertake emergency financial decisions between Board meetings.
- F. Adopts personnel policies.
- G. Acts as Strategic Planning Committee.

Bylaw 10: Executive Director Functions

The functions of the Executive Director are:

- A. Advise with the President.
- B. Employ the staff, recommend compensation, and define job descriptions.
- C. Make emergency decisions which may be necessary.
- D. Assist with convention plans.
- E. Coordinate activities with other member retiree organizations
- F. Assists treasurer in creating budget, financial reports, preparing for the audit and explaining the audit report to the Executive Committee.
- G. Be responsible for the website.
- H. Handle lobbyists’ registration.
- I. Maintains records.

ARTICLE VIII

Bylaw 11: Committees

All committees and their purposes and responsibilities shall be listed in the Division policies. Regions will elect, with approval of the President, a representative to the following committees: membership, legislative, communication, community service and quality of life. The President shall appoint the number of persons as seems necessary to serve on the remaining committees. All other aspects of the committee’s responsibilities and functions shall be a part of the policies.

The NCRSP/AARP Coordinator shall coordinate between the Executive Board of the organization and the state AARP organization on matters of mutual interest.

The NEA-Retired Liaison shall keep the Executive Board of the **organization** informed of NEA actions and plans that are of interest to the **organization**.

Governance (sitting on Ex. Board)

- | | |
|-------------------|------------------------|
| Recognitions | Membership |
| Communication | NCRSP/AARP Coordinator |
| Community Service | NEA-Retired Liaison |

Constitution and ByLaws
Legislative

Policy
Quality of Life

Program and Special

Archivist
Elections
Memorial
New Business Item (NBI)
Rules and Credentials

Bylaw 12: Committee Selection and Term of Office

- A. The chairman of each committee shall be appointed by the incoming President and approved by the Executive Board. The term of office shall be for two years.
- B. The President shall be a non-voting member of all committees except Elections.
- C. All committee members shall be members of the Division.
- D. Other committee members shall be selected by the President in consultation with the appointed chairman and Region directors. Members shall represent all sections of the state when feasible.
- E. Committee members shall assume their duties as of July 1 in even numbered years and serve until their successors have been appointed and assumed office.
- F. The president reserves the right to remove any committee member who is not functioning in his position.

Bylaw 13: Special Committees

- A. Special committees may be appointed by the President as needed.
- B. The term of office of any special committee shall expire when the purpose for which it was appointed has been achieved.

Bylaw 14: Election Committee

- A. The President shall appoint a Elections Committee in advance of any State Convention at which voting is to be held.
- B. The Elections Committee shall consist of at least 5 members of the organization , with one member appointed as the Committee Chair.
- C. No Committee member shall be a current elected officer of the **organization** or a candidate for a Division office.
- D. While the Committee may generally solicit nominations for **organization** offices, it may not recruit specific members to be nominees.
- E. The Elections Committee shall certify the validity of all nominations in consultation with the Executive Director and shall present a slate of qualified candidates to the Representative Assembly at the State Convention of the organization.
- F. The Elections Committee will conduct any ratification of amendments to the NCRSP Constitution.

Revised October 30, 2014