

Portland Association of Teachers Bylaws

ARTICLE 1 NAME

The name of this Association shall be Portland Association of Teachers (PAT) of the Oregon Education Association (OEA) and the National Education Association (NEA).

ARTICLE 2 AFFILIATION

PAT is affiliated with the NEA (National Education Association) and the OEA (Oregon Education Association). The Association may affiliate with or join professional groups upon recommendation of the Executive Board and a two-thirds (2/3) majority vote of the representatives in attendance at a Representative Assembly. The Association shall be an independent policy-making body.

ARTICLE 3 PURPOSE

This Association shall be a nonprofit corporation and shall have as its general purpose the representation of its members in all matters relating to their employment, ~~and~~ the development and improvement of their profession, **and support of the education and well-being of our students.** In order to accomplish these general purposes, this Association shall have, among others, the following specific objectives:

- a) 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;
- b) To promote and to protect the rights and welfare of its members;
- c) To prevent violation of human and civil rights of members and to help members whose legal rights have been violated or threatened;
- d) To achieve personal and professional benefits for members through a coordinated program of collective bargaining, political and legislative action;
- e) To advance professional rights and to enhance professional responsibilities to further the consistent development and improvement of the profession and its practitioners;
- f) To work among ~~citizens~~ **community members** for broad support of public education and the profession;
- g) To secure adequate funding for public education;
- h) To promote the rights and welfare of all students in order to assist each student in realizing his/her maximum potential; and

- i) To develop and provide leadership in solving social problems.

ARTICLE 4 MEMBERSHIP

Section 1 Classes

a) ~~Active~~ Membership

- i. Except those persons **employed in supervisory or confidential positions, and education support professionals, or**~~ordinarily engaged at least 50% of their time in administration, supervision, or evaluation of teacher personnel, active~~ membership in the Association shall be open to all professional personnel employed or to be employed by School District No. 1, Multnomah County, in a position for which a teaching or other professional license is required; ~~and to any others whom the Association may deem eligible.~~ **Active m**Membership is limited to persons who maintain membership in the state and national affiliates.
- ii. Individuals eligible for **active** membership shall acquire membership by a process of enrollment established by the Association. ~~Individuals who are eligible for active membership, but who decline to enroll as members, shall not be classified as members, but as fair share fee payers. (See Article 5.)~~
- iii. Active Membership will continue until one of the following occurs:
 - The member resigns from the school district; or
 - ~~The member resigns from the Association (no resignation shall be valid during a strike authorized by the Association, or within fourteen days preceding the commencement of a strike); or~~
 - The member revokes their membership between August 1 and October 1 of any year, by submitting a written request to revoke said membership, to the Portland Association of Teachers, or the Oregon Education Association. Requests to revoke membership after October 1 will go into effect October 1 of the following year; or**
 - The member takes an unpaid leave of more than one year (except for leaves to serve as an officer of the Association or of its state or national affiliates; or leaves for members of the military service who are called to active duty); or
 - The member fails to pay membership dues (except for leaves for members of the military reserve who are called to active duty, for whom the charge of dues will be suspended when his/her salary is terminated, and will remain suspended until his/her salary is resumed).

- iv. Active Members whose employment has been involuntarily terminated shall be considered active members with all the rights and privileges of membership during the period in which their termination is litigated. Dues payments shall be suspended during the term of litigation.
- v. Active Members who are “reduced in force” (RIF’d) may choose to continue as members for the period in which they are eligible to be recalled. Dues payment shall be suspended during this period.

b) Retiree Membership

Retiree membership shall be open to any person retired from employment in the Portland Public Schools, who was an ~~an active~~ member immediately prior to retirement, who maintains retiree membership in the OEA and NEA, and who is no longer eligible for active membership. Retiree membership shall not include the right to vote, the right to be included in the count for determining the quota for representatives to the Representative Assemblies, or the right to hold ~~elective~~ elected office. Retiree membership shall include the right to hold PAT ~~appointive~~ appointed positions.

Section 2 Rights, Limitations, and Obligations of Membership

- a) Active Members shall have the right to vote and to hold elective office or appointive position.
- b) All Members shall be eligible to receive special services and reports and publications of the Association.
- c) The Association shall not deny membership to individuals, on the basis of race, gender, age, religion, sexual orientation, gender identity, ethnicity, or cultural heritage.
- d) Members of the Association shall not work for be employed by any school districts whose OEA-NEA affiliates are currently on strike.
- e) ~~Withdrawal from the Association may be accomplished by writing and delivering a letter to the office of the Association prior to October 1 of any year. Letters received prior to October 1 shall be effective October 1 of the same year. Otherwise, they shall be effective October 1 of the ensuing year.~~

Section 3 Membership Year

The membership year shall be from September 1 through August 31. Members are classified as delinquent when they fail to pay or make arrangements to pay full dues for which they committed themselves in any given years. If these delinquencies are not paid within OEA/NEA practices beyond the due date of the last billing, the membership shall be canceled.

Section 4 Dues

- a) The annual membership dues for each active member shall be NEA dues plus OEA dues plus .0027 times the average contractual salary, rounded to the next higher dollar, for the preceding year of teachers employed by School District No. 1, Multnomah County.
- b) For active members who teach less than a full school year or less than full time, dues

shall be calculated by a tiered rate of:

- 75-99% pay full dues
- 51-74% pay 64% dues
- 50% pay 50% dues
- 25-49% pay 25% dues
- 24% or less pay 12.5% dues

e) ~~The annual membership dues for each associate member shall be one-half of the annual PAT active member dues plus the dues of the appropriate class of membership in the NEA and OEA as prescribed by the respective bylaws.~~

d) c) The annual membership dues for each substitute members shall be assessed according to the appropriate class of membership as determined by membership in NEA and OEA as prescribed by their respective bylaws. 25% of full-time PAT dues.

e) d) Retiree members will not be assessed for local (PAT) dues.

ARTICLE 5 FAIR SHARE FEE PAYERS NON-MEMBERS

Rights, Limitations, and Obligations of Fee Payers

~~Fair share fee payers~~ Fee Payers Individuals who are part of the PAT bargaining unit but who do not meet the criteria of membership (as defined in Art. 4 Sec.1 (a) ii) are defined as non-members. Non-members shall be accorded the rights and privileges as required by law and determined by the Executive Board.

- A. Non-members may not vote in any elections including contract ratifications, strike votes, and contract exceptions.
- B. ~~Fee Payers~~ Non-members may not hold elected offices, appointed positions, or serve on committees.
- C. ~~Fee Payers~~ Non-members shall be eligible to receive reports and publications of the Association, but are not entitled to other member services not afforded by the law.
- D. ~~Fee Payers are not entitled to free member services that are or could be designated as “non-chargeable” expenses by the OEA, NEA, or any legal body.~~

ARTICLE 6 OFFICERS

Section 1

The officers of the Association shall consist of a president, a vice president, a secretary, and a treasurer.

Section 2 Powers and Duties of the President

- a) The president shall be the chief executive officer of the Association.
- b) The president shall serve as the president of the UniServ Council.
- c) The president shall be a full-time officer of the Portland Association of Teachers, on leave of absence from regular assignment with the school district. ~~A contract based on established written policies and specifying the salary, terms, and conditions of office shall be agreed to by the president and the Executive Board.~~ and shall be placed on highest column, highest step of the salary schedule, plus 21%, in recognition of the additional says, hours and responsibility of the office.
- d) The president shall call and preside at meetings of the Executive Board and of the Representative Assembly. With the approval of the Executive Board, the president may call special meetings of the Representative Assembly and of the general membership. The president shall preside at these meetings. In the event of the president's absence, the vice-president shall perform these responsibilities.
- e) The president shall supervise the business affairs of the Association, including the receipt and disbursement of all funds of the Association, and affix ~~his/her~~ their signature to disbursements identified within the program/budget or as additionally authorized by the Executive Board. In consultation with the treasurer, the president shall direct the investments of the Association, consistent with policies established by the Executive Board; and shall direct the expenditures of the Association, consistent with the approved budget of the Association and with policies established by the Executive Board. ~~The Association shall ensure that the president is appropriately bonded.~~ The President shall ensure that PAT officers are insured through OEA's bond program
- f) The president shall, with the approval of the Executive Board, sign contracts and other legal documents on behalf of the Association in its corporate name.
- g) The president shall supervise the professional activities of the Association.
- h) The president shall be the official representative and spokesperson for the Association. The president may designate another to speak on ~~his/her~~ their behalf.
- i) The president shall appoint the chairs of committees and task forces (except the Program/Budget Committee); these appointments shall be subject to the approval of the Executive Board. The president shall appoint the members of the Advocacy Committee and of the collective bargaining teams; these appointments shall be subject to the approval of the Executive Board. The president shall appoint the Trustees to the Health and Welfare Trust; these appointments shall be subject to the approval of Executive Board. The president may rescind appointments of chairpersons and members of all committees ~~and , task forces, and the Health and Welfare and Trust.~~
- j) The president may ~~recommend~~ designate local members to represent the Portland Association of Teachers at community organizations and coalitions.
- k) The president, or a designee, shall be the voting delegate at meetings of NCUEA.
- l) The President has the authority to release members to work on special projects.

in accordance with existing policies.

Section 3 Powers and Duties of the Vice-President

The vice-president shall perform the functions attributed to that office by the most recent edition of *Roberts Rules of Order Newly Revised*, except as determined by the Bylaws and policy of the Association; shall chair the Program/Budget Committee, shall serve as coordinator of all committees and task forces and shall assume the duties of the president in the absence of the president. The vice-president shall affix ~~his/her~~ their signature to disbursements identified within the program/budget or as additionally authorized by the Executive Board in the absence of the president or the treasurer. ~~The Association shall ensure that the vice-president is appropriately bonded.~~

Section 4 Powers and Duties of the Secretary

The secretary shall keep and publish accurate minutes of the Executive Board and of the Representative Assembly, and of other official meetings as directed by the Executive Board. Once approved, the minutes shall constitute the official records of the meetings. The secretary shall maintain a file of these official minutes to include a signed hard copy. **The secretary will provide a written summary of Executive Board business to be available to the Representative Assembly, and a written summary of Representative Assembly business to be available to the general membership.**

Section 5 Powers and Duties of the Treasurer

The treasurer shall secure the assets of the Association; receive and secure the income of the Association; ensure that accurate accounts of receipts and disbursements are kept; affix ~~his/her~~ their signature to disbursements identified within the program/budget or as additionally authorized by the Executive Board; submit monthly financial reports to the Executive Board and to the Representative Assembly; prepare the financial records for the annual audit; and join the Program/Budget Committee in preparation of the annual budget. ~~The Association shall ensure that the treasurer is appropriately bonded.~~

Section 6 Terms, Succession, and Vacancies

- a) The president, vice-president, secretary, and treasurer shall be elected to a two-year term, and may be reelected. No officer shall **be elected to** serve more than two (2) consecutive **full** terms.
- b) Whenever an office becomes vacant between elections, the remaining members of the Executive Board shall appoint an active member of the Association to serve in that office until the Representative Assembly shall fill the vacancy by election within three regularly scheduled Representative Assembly meetings. This process may be suspended when the Executive Board deems that it is in the best interests of the Association to do so. An interim election may be completed upon receipt of the intent to vacate a position.
- c) All newly elected officers shall become non-voting participants of the Executive Board upon election and shall assume their full rights and duties of office on the July

1, immediately following election and shall serve through the following June 30 of their final year of office, except the treasurer, whose term shall begin September 1 of that year and end the following August 31 of ~~his/her~~ their final year of office.

ARTICLE 7 DIRECTORS-AT-LARGE

Section 1

Portland Association of Teachers Executive Board directors shall be elected for two-year terms and may be reelected.

Section 2

In addition to those responsibilities of members of the Executive Board listed in Article 8, Section 4 of these Bylaws, the specific responsibilities of Portland Association of Teachers directors shall be to:

- a) Establish contact with Association representatives as designated and assigned by the president;
- b) Develop and utilize a system for regular communication with their assigned Association representatives;
- c) Assist Association representatives upon request;
- d) Contact Association representatives absent from meetings of the Representative Assembly;
- e) Serve as a liaison to committees and task forces as ~~requested~~ assigned by the president;
- f) Hold meetings with members in conformity with action by the Executive Board and/or Representative Assembly;
- g) Hold building meetings with members as needed; and
- h) Regularly attend meetings of the Executive Board, Representative Assembly and other Association sponsored meetings.

ARTICLE 8 EXECUTIVE BOARD

Section 1

The Executive Board shall consist of the officers, the OEA directors, and nine directors elected at-large. In addition, the ~~PAT-Retired~~ Portland Metro Area Educators - Retired president, or ~~his/her~~ thier designee, shall serve as a non-voting member of the Executive Board; such representative must be a former Portland Association of Teachers member. In the event that no member of the Executive Board is ~~an ethnic minority a~~ person of color, an additional director who is a ~~member of an ethnic minority a~~ person

~~of color shall be elected at large. The director shall be appointed by the President and approved by the Executive Board. elected within three (3) regularly scheduled Representative Assembly meetings in accordance with procedures established by the Executive Board.~~

Section 2

- a) The Executive Board shall be the executive authority of the Association. Between regular meetings of the Representative Assembly, the Executive Board may act on behalf of the Representative Assembly.
- b) The Executive Board shall be responsible for the achievement of the general purpose and specific objectives of the Association. The Board shall implement plans to achieve this purpose and these objectives, and it shall evaluate the success of the Association in this effort.

Section 3 Powers and Duties of the OEA Directors

- a) The powers and duties of the OEA Director(s) shall be as established by the Oregon Education Association.
- b) The term, succession, and vacancy in the office of OEA Director(s) shall be as established by the OEA.

Section 4 Responsibilities of the Executive Board

- a) The Executive Board shall meet regularly, on a schedule approved annually. The Executive Board shall also approve an annual schedule of meetings of the Representative Assembly.
- b) The Executive Board shall ~~approve an annual contract with the president;~~ advise the president on the management of the Association; ~~approve~~ participate in the selection the employment of professional staff ~~off in accordance with OEA policies;~~ recommend to the Representative Assembly a balanced budget for each new fiscal year; approve all major expenditures not in the adopted budget; establish policies governing the assets of the Association; require an annual audit; and carry out policies established by the Association.
- c) Meetings of the PAT Executive Board may be held at the call of the President. Upon receiving written request from at least three members of the Board stating the purpose of the meeting, the president shall call a special meeting of the Executive Board. ~~Meetings regularly scheduled by the Board shall not require a written request.~~
- d) The Executive Board shall ~~approve the development~~ oversee of workshops and trainings offered by the Association. ~~conferences for Association members, task forces, committees, and Association representatives.~~
- e) The Executive Board shall assist the president in identifying members for committees and task forces. It shall define the committees' immediate and long-range objectives. It shall review committee plans, receive committee reports and act on recommendations, and decide any jurisdictional disputes between committees.
- f) The Executive Board shall report its transactions to the Representative Assembly, and

recommend policies for approval by the Representative Assembly.

- g) The Executive board shall approve the membership of the collective bargaining teams as recommended by the president. The Board shall direct and support the collective bargaining teams in preparation for and negotiations with School District No. 1.
- h) The Executive Board shall approve the membership of the Advocacy Committee as recommended by the president. The Executive Board shall hear and shall decide all appeals of the Committee's decisions by members of the Association.
- i) The Executive Board shall also operate as the Portland UniServ Council, under guidelines established by OEA-NEA.
- j) The Executive Board shall enforce provisions in the OEA and NEA Constitutions, Bylaws, and Standing Rules that require ~~ethnic minority~~ representation **of people of color** in appointments to offices, committees, and representative bodies.
- k) All actions of the Board shall be reported to the members of the Representative Assembly **by the Secretary**. Such actions may be reviewed by the next Representative Assembly upon request of fifteen (15) representatives. The decision of the Representative Assembly shall be final and binding, subject to Article 9.

Section 5 Removal from Office

A member of the Executive Board may be removed from office by one of the following:

- a) Recall proceedings against a member of the Executive Board may be initiated by written petition submitted to the Executive Board by at least twenty-five percent (25%) of the general membership. The signatures shall have been collected within three months prior to their submission to the Executive Board.

A hearing open to the general membership shall be held and chaired by a member appointed by the Executive Board. Afterwards a vote of the general membership shall be taken. Of those voting, a majority vote shall sustain the request for removal, and the office shall become vacant.

- b) A recommendation of the Judicial Panel for expulsion.

Section 6 Quorum

A simple majority of the entire membership of the Executive Board shall constitute a quorum.

ARTICLE 9 REPRESENTATIVE ASSEMBLY

Section 1

The Portland Association of Teachers Representative Assembly has the responsibility to approve Association policies and resolutions. All actions of the Representative Assembly shall be reported to the general membership prior to the next Representative Assembly.

Section 2

The Representative Assembly shall consist of the members of the Executive Board and representatives in accordance with Article 9, Section 3 of these Bylaws.

Section 3 Representative Assembly Representation

- a) For each job site and program area, and for substitute teachers as a group, active members of the Association, through open nominations, shall annually elect by secret ballot an **active** member(s) as representative(s) to the Representative Assembly. Elections for the following school year shall be ~~held in April of each year and~~ reported to the May Representative Assembly. Terms of office shall be for one school year and representatives may be re-elected.
- b) One representative may be elected for each nine (9) **active** full-time equivalent members or major fraction thereof, as of January 15, per site or group as described in paragraph "a" above. Substitute educator members who worked 70 days or more will be considered full-time equivalent. Each site or group shall be guaranteed at least one representative. Sites or groups entitled to more than one representative shall designate one as the Head Association representative.
- c) The head Association representative along with other Association representatives ~~may~~ **shall** call meetings of Association members in their building or group, conduct Association elections or contract ratification elections when authorized to do so by the Executive Board, conduct elections for member representatives to the site council, organize campaigns, meet monthly with supervisors, provide representation to unit members and assist them with problems, and assist with Association communications.
- d) Representatives shall attend meetings of the Representative Assembly. In the event of absence or vacancy, the president may call for an election to complete the unexpired term. The president may designate a member to organize this special election.
- e) The Representative Assembly shall have ~~ethnic-minority~~ members of color representatives in a percentage not less than the percentage of ~~ethnic-minority membership~~ members of color in the Association. In the event such numbers of ~~ethnic-minority~~ members of color representatives are not elected, additional representatives shall be elected by Representative Assembly from a ballot containing only ~~ethnic-minority~~ members of color candidates to meet the minimum number.

Section 4 Resolutions

- a) Resolutions ~~committing~~ the Association to support a philosophy or long-term goal. Therefore resolutions shall be ~~submitted to~~ adopted by the Representative Assembly.
- b) Before the adoption of a resolution, adequate time shall have elapsed to allow members the opportunity to discuss the proposed resolution and advise their representatives ~~as to~~ on their ~~decision~~ position regarding said resolution.
- c) Resolutions necessitating immediate action by the Representative Assembly may be presented directly to the floor of the Representative Assembly for debate and action by:
 - i. Suspension of the rules by a three-fourths (3/4) majority of the representatives

present, and by

- ii. Passage by a two-thirds (2/3) majority of those representatives.

Section 5 Business Items

Business, other than that set forth in Section 4a, above, may be introduced directly to the floor of the Representative Assembly for debate and action.

Section 6

Any member of the Association who is not an elected representative may attend Representative Assembly and may participate in debate. That member may not make motions, call for specific action to be taken through parliamentary procedure, or vote.

Section 7

Other individuals invited by the president may attend Representative Assembly meetings. Those individuals may not take part in the business of the Association.

Section 8

The Representative Assembly shall approve the annual budget of the Association, and Association resolutions and policies. It may adopt rules governing the conduct of meetings of the Representative Assembly, consistent with the Bylaws of the Association. It shall be the final judge of the qualifications and elections of representatives. It shall elect interim officers, as prescribed by Article 6, Section 6, of these Bylaws. It shall approve all changes to Association Bylaws, as prescribed by Article 14 of these Bylaws.

Section 9 Meetings

- a) The Representative Assembly shall meet at least eight (8) times per school year at the time and place set by the Executive Board. An annual calendar shall be set on or before the first meeting in each school year. The president shall prepare the agenda for each meeting and shall circulate it to all representatives in advance of the meeting.
- b) Special meetings of the Representative Assembly may be held at the call of the president or upon written request to the president from fifteen (15) representatives. Business to come before special meetings must be stated in the call which shall be sent in writing to each representative. Discussion shall be limited to the stated agenda.
- c) Fifty-one (51%) percent of the eligible voting members present at the first Representative Assembly of the school year shall constitute a quorum for Representative Assembly for that year.

ARTICLE 10 COMMITTEES AND TASK FORCES

The standing committees of this Association are ~~Membership, Bargaining, Advocacy, Legislative, Program/Budget, Nominations and Elections, Instruction and Professional Development, Substitute, and Social Justice and Community Outreach.~~

Advocacy, Bargaining, Instruction and Professional Development, Legislative, Membership, Nominations and Elections, Racial Equity, Social Justice and Community Outreach, and Substitute.

Section 1 Purpose and Structure

Committees and Task Forces shall be established to carry out the program of the Association. Where feasible, members shall be appointed to represent a cross-section of the Association membership. Members shall be discharged of their responsibilities on June 30 each year, or upon release by the Executive Board, whichever is earlier.

Section 2 Reports, Publications, and Obligations

- a) The chairperson of each committee or task force shall report to the Executive Board at least once a year.
- b) Meeting minutes shall reflect authorization of expenditures from the committee's approved program/budget.
- c) All publications shall first be approved by the president.
- d) Committee chairpersons shall attend meetings called by the vice-president.

Section 3 Committees and Duties

- a) The Membership Committee shall recruit and sustain membership, provide recognition of members, and provide special services.
- b) The Bargaining Committee shall assist the collective bargaining teams in research and the development of the Association's proposals under guidelines established by the Executive Board.
- c) The Legislative Committee shall develop positions on local, state, and national legislation affecting the interests of Association members and establish a contact system with local, state, and national political leaders to communicate those positions. It shall be responsible for the political education of members and for informing members about pending and newly enacted legislation.
- d) The Advocacy Committee shall assure that all grievances are processed promptly and efficiently in accordance with the agreement with School District No. 1 and in conformity with the laws of the state of Oregon. It shall review and act upon contract exceptions and make recommendations regarding appeals to arbitration. It shall assist in informing members about their contractual rights.
- e) The Program/Budget Committee shall develop, by April 1 of each year, a budget to support the program of the Association for the ensuing fiscal year. It also shall monitor expenditures and receipts and may prepare a midyear adjustment to the budget. The Committee shall include, but not be limited to, the president, vice-president, and treasurer of the Association. It shall be chaired by the vice-president.
- f) The Nominations and Election Committee shall implement Article 12 of these Bylaws. No Executive Board member, or candidate for Executive Board, shall serve on this

committee. The Nominations and Elections Committee shall be responsible for scheduling and staffing the credentials operation at Representative Assembly.

- g) The Instruction and Professional Development Committee shall develop and organize instructional workshops, monitor local, state, and national agencies, and/or governing bodies on issues affecting the education profession, and coordinate instructional projects.
- h) The Social Justice and Community Outreach Committee shall develop and strengthen ties with other unions, community groups, and the PPS student union, and shall provide members opportunities to support and organize around social justice issues related to public education.
- i) The Substitute Committee shall plan/implement Association activities involving substitute teachers, including recruiting new substitute members, developing professional growth opportunities for substitutes, and encouraging substitutes to become active members of all PAT committees, as well as representatives to the PAT, OEA, and NEA representative assemblies.
- j) **The Racial Equity Committee shall build organizational capacity to honor, acknowledge and center the lived experiences and stories of educators and students of color. The Racial Equity Committee shall educate, equip and empower its members to develop, implement and sustain organizational change that will lead us to repair, heal and advocate for racial equity for all of our students, families and educators.**

Section 4 Task Forces

The president may, with the approval of the Executive Board, establish task forces to implement the Association's programs which are not assigned to committees.

Section 5 Relationship to OEA, NEA, and NCUEA

The Portland Association of Teachers committees and task forces shall be informed as to the objectives and programs of corresponding state and national associations.

ARTICLE 11 PAT JUDICIAL PANEL

Section 1

The judicial powers of the PAT as described in this Article shall be vested in a Judicial Panel. The Judicial Panel shall be composed of not more than five (5) members. These members shall be the past Presidents of PAT and two (2) members appointed by the President and approved by the PAT Executive Board. No more than three (3) past Presidents may serve at any given time. No currently elected PAT officer or member of the PAT Executive Board may serve on the Judicial Panel.

Section 2

The Judicial Panel shall review upon request, a complaint(s) by a PAT member, of any

alleged violation of the PAT Bylaws or policies. This shall include reviewing an action which resulted from a hearing to investigate nominations, campaigns, election and/or balloting rule violations.

Section 3

The Judicial Panel shall not take action against members for activities involving the legitimate exercise of free speech, press, political activity or association; this includes expressing disagreement with PAT practices and policies.

Section 4

The Judicial Panel shall have the following powers:

- a) To censure, suspend, or expel a member for sufficient cause.
- b) To remove censure, lift suspension, or reinstate a member.

Section 5

The member shall have the right of appeal to the OEA Judicial Panel prior to censure, suspension, expulsion, or removal from office.

Section 6

The PAT Executive Board shall establish such rules and procedures as to insure procedural and substantive due process and to further define the responsibilities of the Judicial Panel.

ARTICLE 12 NOMINATIONS, BALLOTING AND ELECTIONS

Nominations and elections shall be conducted according to procedures and policies set forth in these Bylaws and in the Nominations and Elections Handbook.

Section 1 Nominations

- a) The Nominations and Elections Committee shall declare to the PAT Representative Assembly no later than the November meeting vacancies for offices, Executive Board directorship and delegates to the Representative Assemblies of OEA and NEA. The Nominations and Elections Committee shall close nominations no later than the January Representative Assembly. Any Association member may nominate other candidates from the floor, providing the candidate shall have given prior consent.
- b) The Nominations and Elections Committee shall report at the January PAT Representative Assembly the names of candidates.

Section 2 Balloting

- a) At least two weeks prior to balloting, the Nominations and Elections Committee shall publish and distribute to active members brief information on the candidates in the voter's pamphlet.
- b) Ballots shall be delivered to active members and the vote held within ninety (90) days immediately following the close of nominations. Elections shall be by secret ballot, except as referenced in c)

- c) In circumstances referenced in Article 6, section 6 b, when an interim election is held at an RA, voting may be done by acclamation for uncontested races.

Section 3 Election

- a) The Nominations and Elections Committee shall count the votes, and the results shall be reported immediately to the president and to all candidates.
- b) The Nominations and Elections Committee shall submit to the Executive Board at its next meeting a written report of the results of the Committee's count. Once accepted by the Executive Board, this document will constitute the official report of the results of the election.
- c) The candidates for representative to the Representative Assemblies of OEA and NEA, and candidates for Executive Board receiving the largest number of votes cast shall be declared elected.
- d) Candidates for the offices of president, vice president, secretary and treasurer must receive a majority of all votes cast to be declared elected. If no candidate for a vacancy receives a majority after the first balloting, the two highest vote recipients will stand for election in a run off election to be held as soon as possible after the date of the first election.

ARTICLE 13 RULES OF ORDER

Section 1

The current revision of *Robert's Rules of Order* shall be the parliamentary authority of the Association subject to the Bylaws and such special rules that have been, or may be, adopted.

Section 2

The Association shall be governed by these Bylaws and by such other actions as may be taken by its membership or its governing bodies consistent therewith.

ARTICLE 14 REVIEW AND AMENDMENT

Section 1 Review

The Association shall review these Bylaws at least once every five (5) years to determine their compliance with affiliation standards established by OEA and NEA.

Section 2 Amendments

These Bylaws may be amended by a two-thirds (2/3) majority vote of the representatives in attendance at a Representative Assembly provided that proposed amendments have been sent to representatives not fewer than twenty-one (21) days in advance of the meeting. Unless otherwise specified, approved amendments shall become effective immediately

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upon passage.