

National Council for Higher Education CONSTITUTION

Article I – Name

The name of this organization shall be the National Council for Higher Education (NCHE).

Article II - Purpose

The NCHE shall serve as the instrument through which higher education members of the National Education Association (NEA) utilize their individual and collective power to accomplish the following objectives:

- a. Identify and focus the interests and concerns of NEA higher education members and NEA higher education affiliates.
- b. Speak with a common voice on matters affecting higher education.
- c. Promote NEA as the representative organization of choice for higher education.
- d. Develop and increase attention within NEA to the issues of concern to higher education and to NEA higher education members.
- e. Improve the structure of NEA in order to ensure the full and effective participation of all higher education members of the Association.
- f. Develop programs within NEA to address the problems faced by higher education members.
- g. Assure the development and delivery of appropriate training for NEA higher education members and for leaders of NEA higher education affiliates.
- h. Identify and support candidates for NEA offices who will actively work for the implementation of NCHE programs and positions.
- i. Provide NEA and State Affiliate Governance with the names of qualified NEA higher education members for appointment to committees and boards both internal and external to the Association and actively to promote their appointment.
- j. Establish and maintain direct and regular communication on matters of importance to higher education with appropriate governance and special committees within NEA.

Article III - Membership

Section 1 - Categories of Membership

Organizational Membership

Organizational Membership in NCHE shall be open to any higher education organization within the NEA.

Individual Membership

Individual Membership in NCHE shall be open to any NEA member employed at an institution of higher education. Those otherwise eligible for membership who are on leave or who are actively seeking employment in an institution of higher education shall also be eligible. Members of NEA-Retired whose primary employment was in higher education shall also be eligible.

Associate Membership

Associate membership in NCHE shall be open to any NEA member, NEA staff or affiliate staff who is not eligible for Individual Membership who supports the purposes and activities of the Council.

Section 2 - Representation

Organizational Members shall be represented by their duly elected President or by an individual member of that organization designated in writing by the President of the organization. Only persons who are eligible for

individual membership may be so designated. The President or designee shall speak for their organization and cast that number of votes to which the organization is entitled.

Individual Members shall represent themselves, may speak before NCHE, and shall cast that number of votes to which they are entitled.

Section 3 - Individual Rights

NCHE shall not deny membership or opportunity for employment to any organization or individual on the basis of race, religion, creed, age, sex, sexual orientation, ethnic or cultural heritage, or category of higher education employment. Individual and organizational membership in NCHE shall indicate individual or organizational subscription to these principles.

Section 4 - Membership Year

The membership (fiscal) year shall be the same as the NEA membership (fiscal) year.

Section 5 - Dues and Assessments

The amount of annual membership dues for each category of membership shall be as set forth in the Bylaws. Dues shall be payable by November 1 of each membership year. Dues shall be considered paid when they are received by the Treasurer of NCHE. Members who have not paid their dues shall be denied the right to speak at meetings and the right to vote on NCHE matters. Members whose dues obligation remains unfulfilled for sixty (60) days shall be considered to have resigned from NCHE.

Special assessments may be levied by the Council at the Regular Annual Meeting in an *Organizational Vote* by a two-thirds (2/3) vote of the ballots cast by delegates present and voting, provided that a termination of the special assessment in either dollar amount or a specific date is established.

Article IV - The Council

Section 1 - Membership

The Council shall consist of the voting delegate from each member organization and individual delegates.

Section 2 - Meetings

The Council shall meet at least twice yearly. The Regular Annual Meeting shall be held immediately prior to the NEA Higher Education Conference. Another meeting shall be held in conjunction with the NEA Representative Assembly.

Section 3 - Powers

The Council shall be the policymaking body of NCHE. Powers not specifically delegated to the officers or the Executive Committee shall be vested in the Council.

Section 4 - Voting

Voting shall normally be on the basis of one vote per representative. Upon the request of any representative, an issue shall be decided by a vote in which the representatives of Organizational Members and Individual Members may cast that number of votes as set forth in the Bylaws. Such a procedure shall be referred to as an Organizational Vote.

Article V - Executive Committee

Section 1 - Membership

Members of the Executive Committee shall be the President, Vice-President, Secretary/Treasurer, Membership Chair, and four (4) at-large members elected by the Council.

Section 2 - Ethnic-Minority Representation

If no ethnic minorities are elected as an officer or to the Executive Committee, a special election will be conducted to elect an additional Executive Committee member for a two-year term of office. This person shall be an ethnic minority as defined by the U.S. Bureau of Census.

Section 3 - Educational Support Personnel Representation

If no NEA-ESP member is elected as an officer or to the Executive Committee, a special election will be conducted to elect to the Executive Committee an additional Executive Committee member for a two-year term of office. This person shall be a NEA-ESP member.

Section 4 - Part-time or Temporary Faculty Representation

If no part-time or temporary faculty member (as defined by the local organization) is elected as an officer or to the Executive Committee, a special election will be conducted to elect to the Executive Committee an additional Executive Committee member for a two-year term of office. This person shall be a part-time or temporary faculty member as defined by his or her local organization.

Section 5 - Meetings

Meetings of the Executive Committee shall be held at the call of the President or at the request of a majority of Executive Committee members.

Section 6 - Powers and Duties of Executive Committee

- a. The Executive Committee shall:
 1. Conduct and manage the affairs and business of the Council between meetings of the Council.
 2. Carry out all policies and programs adopted by the Council.
 3. Perform such other duties as may be specified in the Bylaws.
- b. The Membership Chair shall:
 1. Coordinate the recruitment of new members.
 2. Notify each member during the first month of the membership year that dues are payable and shall issue delinquent notices to those organizations whose dues have not been received.
 3. Oversee registration at NCHE meetings.
 4. Maintain an accurate membership/ mailing list.
 5. Reconcile the receivable report.
 6. Perform any other duties or tasks assigned by the President.

Article VI – Officers

Section 1 - Officers

The officers of the Council shall be the President, Vice-President, and the Secretary-Treasurer.

Section 2 - Powers and Duties of Officers

- a. The President shall:
 1. Be the official representative and spokesperson for NCHE.
 2. Preside at all meetings of the Council and Executive Committee.
 3. Establish and charge committees and task forces with their duties with the approval of the Executive Committee. All committee members must be Individual Members of NCHE.
 4. Appoint and discharge all committee members with the approval of the Executive Committee. All committee members shall be Individual Members of NCHE.
 5. Be an ex officio member of all committees and task forces, except the NCHE Elections Committee.
 6. Prepare, with the assistance of the Executive Committee, the agenda for each meeting of the Council.
 7. Prepare and submit an annual report to the Council at its Regular Annual Meeting.

8. Serve as the official NCHE representative, or designate an alternate from the Executive Committee, to all NEA governance bodies.
 9. Perform such other duties as are customarily associated with the office.
- b. The Vice-President shall:
1. Assume the duties of president in the absence of the President.
 2. Attend NEA governance meetings as designated by the President.
 3. Act as the editor-publisher of the NCHE Newsletter, which shall be published at least twice each year.
 4. Maintain and update electronic media used to communicate with NCHE members.
 5. Perform any other duties and tasks assigned by the President.
- c. The Secretary-Treasurer shall:
1. Keep the official minutes of all meetings and maintain the official files.
 2. Handle the correspondence for the Council.
 3. Assure that accurate accounts of receipts and disbursements are kept and prepare periodic reports for both the Executive Committee and the Council.
 4. Provide regular financial reports to the President and the Executive Committee.
 5. Assist the Membership Chair in maintaining an accurate membership/ mailing list.
 6. Receive the dues report of the organization and reconcile the receivable report with the Membership Chair.
 7. Supervise the duplication and distribution of materials for each NCHE meeting, including those sent to registrants prior to the meeting.
 8. Perform any other duties or tasks assigned by the President.

Article VII – Elections

Section 1 - Eligibility

Each candidate for office shall hold Individual Membership in NCHE and shall be a member of the local NEA higher education organization, if one exists, which represents or seeks to represent the candidate's category of employees on his or her home campus.

No individual may be a candidate for more than one office, including Executive Committee membership, at the same time.

No member of the NEA Executive Committee shall serve concurrently as an officer or a voting member of the NCHE Executive Committee.

Section 2 - Terms of Office

- a. All officers and members of the Executive Committee shall be elected to two-year terms. They may be re-elected, but may not serve more than three consecutive terms in the same office.
- b. At-Large Executive Committee members elected to one-year terms may not serve more than six consecutive years. Election to regular two-year terms shall be counted as part of these consecutive years.
- c. The officers and at-large Executive Committee members shall be elected at the Regular Annual Meeting of the Council. They shall assume office upon the adjournment of the annual NEA Representative assembly following their election.
- d. The President, Vice-President, and two of the at-large Executive Committee members shall be elected in odd-numbered years. The Secretary-Treasurer, Membership Chair, and two of the at-large Executive Committee members shall be elected in even-numbered years.

Section 3 - Succession and Vacancies

- a. In the event the President is unable to serve his/her full term, the Vice-President shall assume the office of President for the balance of the unexpired term.
- b. If the Vice-President or the Secretary-Treasurer is unable to serve his/her full term, the Executive Committee shall elect an interim officer from the Executive Committee until a successor can be elected at the next Regular Annual Meeting.
- c. If a member of the Executive Committee is unable to serve for his/her full term, the remaining Executive Committee members shall elect an interim member from the membership until a successor can be elected at the next Regular Annual Meeting.
- d. Succession or appointment to an office shall not count against term limitations unless the person serves a full term.

Section 4 - Election Procedures

All elections shall be by secret ballot following open nominations at the Regular Annual Meeting of the Council. If, after nominations for an office are complete, the number of candidates nominated for that office equals the number of positions to be filled, the chair shall declare such candidates elected.

Only Individual Members and organizational representatives present at the meeting shall be eligible to vote. All voting shall be by Organizational Vote. That candidate receiving the majority of votes cast for the position of President, Vice-President, or Secretary-Treasurer shall be declared the winner except that, in the event that no individual receives more than 50% of the votes cast for the office in question, a run-off between the top two candidates shall be conducted.

Those two candidates, or more than two in the case of additional vacancies, receiving the most votes cast for the position of at-large Executive Committee member shall be declared the winners provided that each candidate declared a winner must have received more than 50% of the votes cast for that position. In the event that insufficient candidates have met the 50% requirement, a run-off shall be held among the highest vote-getters with the ballot containing the names of one more candidate than the number of positions which remain vacant. If the run-off fails to produce a winner, then the candidate(s) with the most votes shall be declared the winner(s).

All at-large candidates for the NEA Board of Directors, nominated after the NEA director positions are declared open in June and seeking the NCHE endorsement, shall be elected by majority vote. If not all endorsements are made on the first ballot through a majority vote, then a run-off shall be held with candidates endorsed by a plurality.

Section 5 - Recall

An officer or Executive Committee member may be recalled or removed at any Regular Annual Meeting of the Council in a secret-ballot Organizational Vote by a two thirds (2/3) vote of the ballots cast by delegates present and voting.

Article VIII - Ethnic-Minority Guarantees

NCHE shall take all reasonable and legally permissible steps to achieve on its elective and appointive bodies ethnic-minority representation that is at least proportional to the ethnic-minority population among National Education Association higher education members.

Article IX – Amendments

Section 1 - Voting

This constitution may be amended at the Regular Annual Meeting of the Council in a secret-ballot Organizational Vote by a two thirds (2/3) vote of the ballots cast by delegates present and voting.

Section 2 - Submittal

The text of proposed amendments must be submitted to the President at least sixty (60) days prior to the Regular Annual Meeting, and copies of the proposed amendment must be sent to all organizational and individual members at least thirty (30) days prior to the Meeting.

Section 3 - Nonsubstantive Changes

The Executive Committee is authorized to make nonsubstantive housekeeping changes in the Constitution.

Article X – Dissolution

Section 1 - Distribution of Assets

In the event of the dissolution of the Council, any assets remaining after the payment of all debts of the Council shall be transferred to a successor organization.

Section 2 - No Successor Organization

In the event there is no successor organization, such remaining assets shall be transferred to the NEA Political Action Fund.

Article XI - Rules of Order

The current revision of Robert's *Rules of Order* shall be the parliamentary authority of NCHE.

Article XII – Ratification

This constitution shall take effect upon receiving two thirds (2/3) of the votes cast in an Organizational Vote from among those present at a special meeting called for this purpose in conjunction with the 1987 NEA Higher Education Conference.

Adopted October 28, 1990
Revised January 20, 1992
Revised November 20, 1994
Revised December 6, 1998
Revised March 14, 2014