



CONSTITUTION

Article I – Name, Purpose

Section 1. Name

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

Section 2. Purpose

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 NEA higher education members.
- 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 work actively 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 NEA, 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 II – Membership

Section 1 - Categories of Membership

- a. **Organizational Membership**
Organizational membership in NCHE shall be open to any higher education organization within the NEA.
- b. **Individual Membership**
Individual membership in NCHE shall be open to any NEA member employed by 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 also shall be eligible. Members of NEA-Retired whose primary employment was in higher education also shall be eligible.

c. Associate Membership

Associate membership in NCHE shall be open to any NEA member, NEA staff, or affiliate staff not eligible for Individual Membership who supports the purposes and activities of the Council. Associate members may attend NCHE functions, participate in NCHE meetings, and receive NCHE information. Associate members are not eligible to nominate a candidate for NCHE office, run for an NCHE Executive Committee seat, or vote.

Section 2 - Representation

- a. 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.
- b. 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 to individuals on the basis of race, color, national origin, creed, gender, gender identity, sexual orientation, age, disability, marital status, economic status, or category of higher education employment, nor shall any organization which so denies membership be affiliated with the NCHE. Organizational, Individual, and Associate membership in NCHE shall indicate 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

- a. The amount of annual membership dues for each category of membership shall be as set forth in the Bylaws. Dues shall be considered paid when they are received by the Treasurer of NCHE. Members who have not paid their dues for the current fiscal year prior to the start of a meeting shall be denied the right to speak at meetings and the right to vote on NCHE matters.
- b. Special assessments may be levied by the Council at the Regular Annual Meeting by a Council vote by a two-thirds (2/3) vote of the registered members present and voting, provided that a termination of the special assessment in either dollar amount or a specific date is established.

Article III - The Council

Section 1 - Membership

The Council shall consist of the Individual members and the voting representative from each Organizational member.

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 be on the basis of one vote per representative. Upon the request of any representative, or as specified in this Constitution, 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 a Council vote.

Article IV - 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.

Section 2 - Ethnic-Minority Representation

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

Section 3 - Educational Support Professionals (ESP) Representation

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

Section 4 – Contingent Faculty Representation

If no contingent faculty member, as defined by the local organization, is elected to the Executive Committee, a special election will be conducted to elect to the Executive Committee an additional Executive Committee member for a three-year term of office.

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

The Executive Committee shall:

- a. Conduct and manage the affairs and business of the Council between meetings of the Council.
- b. Carry out all policies and programs adopted by the Council.
- c. Perform the duties as stipulated in this Constitution and in the NCHE Bylaws.

Article V – Officers and Membership Chair

Section 1 – Officers

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

Section 2 – Powers and Duties of Officers

- a. The President shall:
 - i. Be the official representative and spokesperson for NCHE.
 - ii. Preside at all meetings of the Council and Executive Committee.
 - iii. Establish and charge committees and task forces with duties with the approval of the Executive Committee. All committee members must be Individual members of NCHE.
 - iv. Appoint and discharge all committee members with the approval of the Executive Committee.
 - v. Be an *ex officio* member of all committees and task forces, except the NCHE Elections Committee.
 - vi. Prepare, with the assistance of the Executive Committee, the agenda for each meeting of the Council.
 - vii. Prepare and submit an annual report to the Council at its Regular Annual Meeting.
 - viii. Serve as the official NCHE representative, or designate an alternate from the Executive Committee, to all NEA governance bodies.
 - ix. Perform the duties as stipulated in the Constitution and Bylaws, and such other duties as are customarily assumed by the chief executive officer of an association.
- b. The Vice President shall:
 - i. Assume the duties of president in the absence of the President
 - ii. Attend NEA governance meetings as designated by the President
 - iii. Act as the editor-publisher of the NCHE Newsletter, which shall be published at least twice each year.
 - iv. Ensure that electronic media used to communicate with NCHE members are maintained.
 - v. Perform any other duties and tasks assigned by the President.
- c. The Secretary- shall:
 - i. Keep the official minutes of all meetings and maintain the official files.
 - ii. Handle the correspondence for the Council.
 - iii. Assist the Membership Chair in ensuring the maintenance of an accurate membership/ mailing list.
 - iv. Ensure that materials for each NCHE meeting are duplicated and distributed, including those sent to registrants prior to the meeting.
 - v. Perform other duties or tasks assigned by the President.
- d. The Treasurer shall:
 - i. Ensure that accurate accounts of receipts and disbursements are kept and prepare periodic reports for both the Executive Committee and the Council.
 - ii. Provide regular financial reports to the President and the Executive Committee.
 - iii. Receive the dues report of the organization and reconcile the receivable report with the Membership Chair
 - iv. Perform other duties or tasks assigned by the President.

Section 3. Membership Chair – Powers and Duties of the Membership Chair

The Membership Chair shall:

- a. Coordinate the recruitment of new members.
- b. Ensure the notification of each member during the first month of the membership year that dues are payable and ensure that delinquent notices are issued to those organizations whose dues have not been received.
- c. Conduct registration at NCHE meetings
- d. Ensure maintenance of an accurate membership/ mailing list.

- e. Reconcile the receivable report.
- f. Perform other duties as assigned by the President.

Article VI – Elections

Section 1 – Eligibility

- a. 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 the candidate's category of employees on his or her home campus.
- b. No individual may be a candidate for more than one NCHE office at the same time.
- c. 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. Executive Committee Members shall be nominated and elected at the Regular Annual Meeting in accordance with this Constitution, the Bylaws, and the Standing Rules.
- b. The Executive Committee Members shall remain in office until the adjournment of the NEA Representative Assembly of the year in which a successor is elected, unless otherwise provided in this Constitution. The successor will take office after the adjournment of the NEA Representative Assembly of the year in which they were elected.
- c. The President shall serve no more than two (2) three-year terms to which elected by the Council.
- d. The Vice President, Secretary, Treasurer, Membership Chair, and At-Large Executive Committee members may serve two (2) three-year terms, but in no event more than eight (8) years, to which they were elected by the Council. Terms to which individuals are elected by the Executive Committee do not count toward the 8-year limit.

Section 3 - Succession and Vacancies

- a. A vacancy in the office of the President shall be filled by the Vice President.
- b. A vacancy in the office of the Vice President, Secretary, Treasurer, or Membership Chair shall be filled through the election of an interim member to the vacant position by the Executive Committee until a successor can be elected by the Council at the next Regular Annual Meeting.
- c. A vacancy in the office of an At-Large member of the Executive Committee shall be filled through the election of an interim member for the vacant position by the Executive Committee until a successor can be elected by the Council at the next Regular Annual Meeting.

Section 4 - Election and Endorsement Procedures

- a. All elections shall be by secret ballot following open nominations at the Regular Annual Meeting of the Council.
- b. 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.
- c. Only Individual members and Organizational member representatives present at the meeting shall be eligible to nominate or vote.
- d. All voting shall be by Council vote.
- e. The candidate receiving the majority of votes cast for the position of President, Vice President, Secretary, Treasurer, or Membership Chair shall be declared the winner.

- f. In the event that no individual receives a majority of the votes cast for the office in question, a run-off between the top two candidates shall be conducted for each officer or Membership Chair seat. The candidate with the majority of votes cast in each run-off election shall be declared the winner
- g. For At-Large Executive Committee seats, the candidates with the most votes will fill the available three-year term seats. For shorter term seats, individual elections will be held for each seat, with the candidate getting the most votes declared the winner.
- h. All NEA Officer, Executive Committee member, and At-Large candidates for the NEA Board of Directors seeking the NCHE endorsement shall be endorsed by majority vote. If not all endorsements are made on the first ballot through a majority vote, then a run-off between the top two candidates shall be conducted. The candidate with the majority of votes cast in each run-off election shall be declared the endorsed candidate. If an equal number of candidates are seeking NCHE endorsement as there are open seats for the respective offices, the chair may call for a voice vote.

Section 5 - Recall

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

Article VII - 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 NEA higher education members.

Article VIII – Amendments

Section 1 - Voting

This constitution may be amended at the Regular Annual Meeting of the Council in a secret-ballot Council vote by a two thirds (2/3) vote of the ballots cast by registered members 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 – Non-substantive Changes

The Executive Committee is authorized to make non-substantive changes in the Constitution.

Article IX – 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 Fund for Children and Public Education.

Article X – Parliamentary Authority

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

Article XI – Ratification

This constitution shall take effect upon receiving two-thirds (2/3) of the votes cast in a Council vote from among those present and voting 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
Revised June 30, 2017
Revised March 15, 2019.

See Provisos on next page passed on March 15, 2019.

**Provisos Relating to the Implementation of Article VI, Section 2
of the Constitution of the National Council of Higher Education**

Terms of the Provisos

1. Article VI, Section 2 of this Constitution shall have an effective date of September 1, 2019.
2. These Provisos of Implementation shall sunset on August 31, 2022, at which time the transition to three (3) year terms for the Executive Committee will be fully implemented.
3. The implementation of the terms of office from two (2) years to three (3) years as cited in Article VI, Section 2 shall commence in 2020 on a staggered basis as follows and as outlined on the attached chart:
 - a. The Secretary, Treasurer and one (1) At-Large Director seat shall commence the three (3)-year term in 2020.
 - b. The President, Vice President and one (1) At-Large Director seat shall commence the three (3)-year term in 2021. *For the purposes of this transition period, the current President shall be limited to one (1) three-year term commencing in 2021 and ending in 2024.*
 - c. The Membership Chair and two (2) At-Large Executive Committee seats shall commence the three (3)-year term in 2022.
4. The attached chart/timeline is a guide/outline to the implementation of the three (3)-year terms. The names contained therein are of the current office holders and could change as the transition goes forward. In such case, the provisions of Article VI, Section 3, "Succession and Vacancies", of this Constitution, if fulfilling unexpired terms, shall govern for the individuals entering office, but shall not alter the implementation to the three-year terms.

IMPACT:

EXECUTIVE COMMITTEE TERMS

Timeline for transition to three-year terms

| Position | Current Officer | Current Term | 2019 Election | 2020 Election | 2021 Election | 2022 Election |
|-----------------------|------------------------------|---------------------|---|--|---|--|
| <i>President</i> | <i>Sheaffer</i> | <i>1st</i> | <i>Yes – 2 yrs. (Sheaffer eligible)</i> | | <i>Yes – 3 yr. (Sheaffer eligible)</i> | |
| <i>Vice President</i> | <i>Thomson</i> | <i>Partial</i> | <i>Yes – 2 yrs. (Thomson eligible)</i> | | <i>Yes – 3 yr. cycle (Thomson eligible)</i> | |
| <i>At-Large</i> | <i>Sako</i> | <i>1st</i> | <i>Yes – 2 yrs. (Sako eligible)</i> | | <i>Yes – 3 yrs. (Shako eligible)</i> | |
| <i>Secretary</i> | <i>Riley</i> | <i>3rd</i> | | <i>Yes – 3 yrs. (new candidate)</i> | | |
| <i>Treasurer</i> | <i>Riley</i> | <i>3rd</i> | | <i>Yes – 3 yrs. (new candidate)</i> | | |
| <i>At-Large</i> | <i>Sublette & Mackey</i> | <i>2nd</i> | | <i>Yes – 3 yrs. (S & M eligible)</i> | | |
| <i>Membership</i> | <i>Abraham</i> | <i>1st</i> | <i>Yes – 2 yrs. (Abraham eligible)</i> | | <i>Yes – 1 yr. (Abraham eligible)</i> | <i>Yes – 3 yrs. (Abraham eligible)</i> |
| <i>At-Large</i> | <i>Sublette & Mackey</i> | <i>2nd</i> | | <i>Yes – 2 yrs. (S & M eligible)</i> | | <i>Yes – 3 yrs. (new candidate)</i> |
| <i>At-Large</i> | <i>Zimmerman</i> | <i>1st</i> | | <i>Yes – 2 yrs. (Zimmerman eligible)</i> | | <i>Yes – 3 yrs. (Zimmerman eligible)</i> |

Notes:

1. *The President, Vice President, and one At-Large seat begin the 3-year cycle in 2021.*
2. *The Secretary, Treasurer, and one At-Large seat begin the 3-year cycle in 2020.*
3. *The Membership Chair and two At-Large seats begin the 3-year cycle in 2022.*