

**EDUCATIONAL OPPORTUNITY FUND PROFESSIONAL ASSOCIATION
OF NEW JERSEY**

**CONSTITUTION
AND
BY-LAWS**

AMENDED MARCH 17, 2008

CONSTITUTION

Article I

NAME, MISSION STATEMENT, AND PURPOSE

Section 1 Name

- 1.1 The name of the organization shall be Educational Opportunity Fund Professional Association, INC. Hereafter referred to as EOFPANJ.

Section 2 Mission Statement

- 2.1 The mission of EOFPANJ is to be the official liaison between Educational Opportunity Fund (EOF) campus based programs, the New Jersey Commission on Higher Education and the EOF Board of Directors.
- 2.2 To advocate on behalf of EOF programs which serve educationally and economically disadvantaged students.
- 2.3 To keep abreast of and monitor legislation and policy decisions that may have a direct or indirect affect upon the EOF constituency.
- 2.4 To provide a venue for professional development of its members and a clearinghouse of resources relevant to the achievement of our mission.

Section 3 Purpose

- 3.1 The goals of EOFPANJ shall be to research, monitor, and interpret all proposed legislative proposals and drafts which impact on the delivery of services to our constituency.
- 3.2 To provide direct input to the administrative decision making process at EOF Central which has a direct bearing on the distribution of Article III and Article IV funds to the EOF campus based programs.
- 3.3 To share expertise and provide in-service training to EOF directors and staff.

Article II

MEMBERSHIP

Section 1 Membership

- 1.1 The membership of EOFPANJ shall be open to all Educational Opportunity Fund professional staff employed by institutions of higher education receiving funds as set forth by the New Jersey Educational Opportunity Fund Act of 1968 (Assembly Bill 767)
- 1.2 The term “professional staff” mean EOF director and shall include but not be limited to associate director, assistant director, counselor/academic advisor, faculty, and other professionals as identified by the EOF Professional Association.
- 1.3 Each member institution shall have two votes. One vote shall be cast by the director. Where there is more than one member other than the director, each member in good standing shall cast a vote. The majority vote for each candidate

will be the second institutional vote to be cast by the designee. The designee is selected by the voting members.

- 1.4 A member in good standing is evidenced by the following:
 - a. Has paid his/her membership dues.
 - b. Attend a minimum of 1 general membership meeting per calendar year.

Article III

ORGANIZATIONAL GOVERNANCE

Section 1 The Administrative Body

- 1.1 The administrative body of EOFPANJ, Inc, shall be known as the Executive Board.

Section 2 Composition of the Executive Board

- 2.1 The executive board shall be comprised of Officers and its respective representative(s) as specified in the organizational growth of this constitution.
- 2.2 The executive board shall be headed by an elected executive board comprised of the President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, Financial Secretary and Sector Representatives.
- 2.3 The Immediate Past President, Parliamentarian, Public Relations and Members at Large are non elected members of the Executive Board.

Section 3 Powers of the Executive Board

- 3.1 The executive board shall have the supreme oversight in all matters pertaining to the Association as interpreted in this constitution.
- 3.2 The executive board shall be vested with the power to legislate and supervise the constitution. All constitutional revisions must be approved by a 2/3 majority of the executive board.
- 3.3 The executive board is vested with the power to approve the Associations budget and regulate dues.
- 3.4 The executive board shall be vested with the power to develop public relations campaigns, solicit financial support, and determine the overall direction of EOFPANJ unless otherwise expressly provided for in this constitution.
- 3.5 The executive board shall perform such duties and discharge such responsibilities as may be provided for in other Articles of this constitution.
- 3.6 The executive board of EOFPANJ may call special meetings at any time by its own motion and initiative. The president of EOFPANJ, must, upon receipt of the written application of one quarter of the members in good standings/or voting members call a special meeting. Notice of special meetings shall be sent to all members and shall indicate the purpose for which the meeting is being called.

Article IV

ELECTION OF OFFICERS

Section 1 Elected Office (Executive Board)

- 1.1 The Elected Offices of the Educational Opportunity Fund Professional Association of New Jersey Inc. shall be comprised of the members as provided in Article III, Section 2.2.
- 1.2 All members of this group shall be referred to as Executive Board of EOFPANJ.
- 1.3 The President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, Financial Secretary, and Sector Representative have the right to vote at all Executive Board Meetings.
- 1.4 The Parliamentarian and Members at Large are Non-Voting members of the Executive Board and shall be appointed by the President.
- 1.5 The Immediate Past President will serve as a Non-Voting advisor to the Executive Board.

Section 2 Election Procedures

- 2.1 Election procedures shall be consistent with the provisions of this constitution and shall be prescribed by the Standing Committee on Election.
- 2.2 Elections will take place during the annual Spring Conference. The election day must be announced two months in advance to all members. All members in good standing may attend this election.
- 2.3 Members eligible to run for the executive board should be nominated to the election committee by the 30th day of January.
 - a. The election committee has 2 weeks after the submission deadline to review the candidate's eligibility and notify the membership of the official slate of candidates.
 - b. If there is an issue in question, the potential candidate will be directly contacted by the Election Committee to clarify anything that may prohibit the candidate's eligibility. This notification should be done within 2 weeks after the submission deadline. If the candidate's eligibility is in question, the official slate of candidates will not be released.
 - c. The official election slate will be released when all candidates are deemed eligible and approved by the Election Committee.
- 2.4 Elections must be completed by April 30 of the election year.
- 2.5 The candidate receiving the largest number of votes at the closure of balloting shall be declared elected to the respective Executive Board position.

Section 3 Installation of Elected Executive Officers

- 3.1 All executive elective officers shall begin office on the 1st of July of the election year, and be announced to the membership by the 30th day of April.
- 3.2 In the interim between elections and inductions, the incumbent officers will be required to provide the necessary resources to the newly elected officers to ensure a smooth transition.

Section 4 Tenure of Elected Executive Officers

- 4.1 The president shall serve a term of two years. He/She may not serve as president for more than 4 consecutive years.
- 4.2 The vice president shall serve a term of two years. He/She may not serve as vice president for more than 4 consecutive years.
- 4.3 The other elected officers shall serve a term of two years. The tenure of the officers in this subsection shall not be limited.

Section 5 Appointment of Executive Officers

- 5.1 The executive officers under this Article, and such other Officers as the executive board may require, shall be appointed by the executive board president. Appointments will become official upon concurrence of simple majority vote of the executive board.

Section 6 Tenure of Immediate Past President

- 6.1 The Immediate Past President shall serve a term of two years.

Article V

MEETINGS

Section 1 Procedures

- 1.1 All executive board meetings will be conducted in accordance with Robert's Rule of Order (latest edition). When Robert's Rule of Order conflict with the association's constitution and/or by-laws, the constitution and/or by-laws shall govern.
- 1.2 The procedures of all Sectors shall, as closely as possible, imitate those of the Executive Board. However, no distinctions shall be made for executive members' powers other than those required in order to fulfill their responsibilities.

Section 2 Attendance

- 2.1 Attendance shall be taken by the Recording Secretary at the executive board and general membership meetings.
- 2.2 All sectors will also take attendance at their meetings.
- 2.3 There must be a quorum of no less than $\frac{1}{2} + 1$ of the voting members for all entities within the association structure for an official meeting to take place where voting is conducted.

Section 3 General Membership Meetings

- 3.1 General Membership meetings shall be held twice a year.

Article VI

DUES

Section 1 Membership Dues

- 1.1 Professional staff are responsible to pay the Association a sum determined by a simple majority vote of the executive board, to be determined at the executive board retreat.
- 1.2 All dues shall be paid to the Financial Secretary.

The By-Laws

Article I

DUTIES AND RESPONSIBILITIES OF EXECUTIVE OFFICERS

Section 1 Duties of the Executive Board President

- 1.1 The executive board president shall be the Chief Executive Officer of the Association.
- 1.2 The President shall preside over all General Membership and Executive Board meetings, EOFPANJ conferences or any other executive board meetings that may be called.
- 1.3 The president shall have the authority to appoint committees once his/her recommendations have been approved by the executive board.
- 1.4 The president shall have, with the concurrence of a simple majority vote of the executive board members, the authority to appoint members to fill vacant executive board positions.
- 1.5 The president will be the official representative to communicate with other professional groups, organizations, and educational institutions.
- 1.6 The president shall serve as member, ex officio, of all committees except the Election Committee.
- 1.7 The president shall, but not be required to attend all committee meetings.
- 1.8 After a vote for any amendment or application of the EOFPANJ constitution, the president shall interpret the constitution and by-laws of EOFPANJ and either accept or veto the decision of the executive board members. The president's decision shall be final, except upon an objection being raised and sustained by a $\frac{3}{4}$ vote of the general membership.
- 1.9 The president shall have the power to cause an Executive Order, only in such instances that it is apparent that the Association's welfare is in jeopardy. The Executive Order must be a declaration in the best interest of the Association, and can only be implemented if circumstances are such that leaving said action to normal legislative procedures would have the effect of condoning improper actions or cause extreme hardship or detriment to the Association.

- 1.10 EOFPANJ will cover the president's conference registration and hotel fees as well as mileage as it relates to all EOFPANJ conference, sponsored events, and Tri-State Conference which are not covered by his/her respective institution.
- 1.11 Shall prepare with the assistance of the executive board an annual report which will present information on the Association's activities, fiscal condition, and progress/fulfillments of the goals and objectives. This report will be made available to the General Membership.
- 1.12 Shall prepare with the assistance of the executive board a two year report outlining the association's goals and objectives. This report will be made available to the General Membership.

Section 2 Duties of the Executive Vice President

- 2.1 The executive board vice president shall assume the powers of the president in his/her absence. If the president cannot complete his/her term, the vice president shall assume the presidency, at which time he/she will appoint a new vice president who must be approved by a simple majority vote of the executive board members.
- 2.2 The vice president shall oversee all committees created by the president.
- 2.3 The vice president shall perform other such duties as may from time to time be assigned by the executive board president and shall act on the president's behalf when so requested.

Section 3 Duties of the Recording Secretary

- 3.1 The recording secretary is the official record keeper of all executive board minutes and proceedings.
- 3.2 The recording secretary will receive all minutes and proceedings of all sub committees established by the president, record the minutes and shall make all records available to the General Membership.
- 3.3 Shall take attendance at all meetings of the executive board and general membership.
- 3.4 Keep on file all records, reports, correspondence and information necessary to the function and purpose of the organization.
- 3.5 Shall prepare such reports as the association may direct.
- 3.6 Shall within (30) thirty days after the conclusion of each executive board meetings have copies of the minutes sent to the executive board.

Section 4 Duties of the Corresponding Secretary

- 4.1 The corresponding secretary shall disseminate in a timely manner all information pertinent to the members of the association.
- 4.2 Shall perform the duties of the recording secretary in his/her absence.
- 4.3 Shall once a year update the EOF Directory.
- 4.4 Shall give timely notice of Executive Board Meetings and/or Special Meetings to the executive board and/or general membership.
- 4.5 Shall perform such other duties as may from time to time be assigned to them by the executive board president or vice president.
- 4.6 Shall assume responsibility of the Sun Shine Club.

Section 5 Duties of the Financial Secretary

- 5.1 The financial secretary will be responsible for receiving all revenue monies.
- 5.2 Shall submit all collected revenues to the treasurer.
- 5.3 Shall be a member of the Budget Committee and assist with the preparation of the budget for the ensuing year.
- 5.4 Shall be responsible for collecting all fees associated with membership and activities of the association.
- 5.5 Shall prepare all required invoices for all revenues collected.
- 5.6 Shall prepare and submit a written report reflecting all revenues and expenses.

Section 6 Duties of the Treasurer

- 6.1 The Treasurer shall be responsible for the proper accounting and safeguard of all monies, funds and securities of the association.
- 6.2 Shall submit a detailed accounting auditing report on a monthly basis to the executive board and makes a written annual financial report available to the general membership.
- 6.3 Shall chair the Finance and Budget Committee.
- 6.4 Shall account for and collect all prescribed payments made to the association.
- 6.5 Shall be responsible for the filing of all State and Federal reports as required of the association.
- 6.6 Shall be required to deposit in an approved bank, all funds of the association received within (5) five business days of such receipt.
- 6.7 Shall be responsible for keeping permanent records of all funds and expenditures, and make an annual financial report during the Executive Board Retreat.
- 6.8 Shall submit payments only to the organizations of persons under which the association has a legal and binding contract.
- 6.9 All disbursement in any manner must be approved by a majority vote of the executive board members and co signed by the executive board president and/or vice president.

Section 7 Duties of the Public Relations Officer

- 7.1 The public relations officer shall be responsible for the preparation, publication, and dissemination of information as directed and approved by the executive board.

Section 8 Duties of the Parliamentarian

- 8.1 Shall be responsible to ensure all meetings are conducted by Robert's Rule of Order (latest edition).
- 8.2 Shall call the meeting to order and adjourn the meeting.
- 8.3 Shall announce motion on the floor.
- 8.4 Shall tally up final votes on the floor.

Section 9 Duties of the Immediate Past President

- 9.1 The immediate past president shall assist and advise the newly elected executive board as part of the transition after the election of new officers.

Section 10 Duties of the Members At Large

- 10.1 Members at large shall perform all duties and tasks as assigned by the president and/or vice president.
- 10.2 Shall chair a committee assigned by the president.

Section 11 Impeachment of Members of the Executive Board

- 11.1 Any executive board member may be impeached from their position upon a formal complaint brought forth by any executive board member.
- 11.2 In order to begin impeachment procedures, an executive board member, in good standings, must set-forth in writing the reasons for impeachment to the executive board.
- 11.3 A copy of the indictment must be forward to the affected executive board member within five business days after receipt by the president. Within ten days of their receipt of the indictment, the affected executive member has the right to formally rebut their accuser in writing. (20) Twenty days after proper notification impeachment procedures must begin with or without a formal rebuttal.
- 11.4 A president appointed sub committee shall review a formal appeal brought forth by the impeached member.
- 11.5 A two thirds dismissal vote from the executive board is required for an executive board member to be impeached.
- 11.6 Actions which qualify as grounds to begin impeachment procedures are:
 - a. Illegal activity which is proved in a court of law.
 - b. Acts which bring down the integrity of the executive board and/or of the association name.
 - c. Failure to fulfill the responsibilities of the respective position and any other such circumstances which bring to question the commitment of the executive board member.
 - d. Habitual missing of meetings without justified cause.
- 11.7 All impeachments are final upon review and remain in effect for a period of ten years from the date of impeachment.

Article II

SECTOR ORGANIZATION

Section 1 Designation of Sector

- 1.1 Sectors will be comprised of (4) four institutional categories: Four (4) Year Public Institutions, Two Year (2) Public Institutions, Independent Institutions, and Rutgers University, University of Medicine and Dentistry of NJ, and New Jersey Institute of Technology.

Section 2 Sector Organization

- 2.1 Each sector shall be comprised of (2) two sector representatives.

Section 3 Sector Elected Representatives and Responsibilities

- 3.1 Sector representatives shall be elected by all active members of their sector.
- 3.2 Sector representatives shall function under the jurisdiction of the executive board.
- 3.3 Sector representative's term are two years and elections are to be held in conjunction with the executive board elections.

Section 4 Sector Meetings

- 4.1 Sector shall conduct a meeting twice a semester.
- 4.2 Each sector shall meet on the call of the sector representatives who shall give written notice of the time and place thereof to each EOF program within the sector, at least 14 days in advance.

Section 5 Sector Representation

- 5.1 At least one representative of each EOF program within the sector should attend sector meetings.
- 5.2 All representatives shall be allowed to vote on all matters pertaining to the sector.
- 5.3 During sector elections all members in good standings will be allowed to vote.

Article III

COMMITTEES

Section 1 Standing Committees

- 1.1 The committees shall meet on a regular basis and prepare and present at monthly executive board meetings, a full committee report.
- 1.2 On committees where chairpersonship is not appointed, chairperson(s) must be elected at the first meeting.
- 1.3 Committee membership is concurrent with the term of elected officers. All policies and programs emanating from committee decisions must be approved by the executive board prior to dissemination.

Section 2 Spring Conference

- 2.1 The spring conference committee will coordinate all of the activities as related to the respective conference.
- 2.2 The spring conference committee shall consist of a minimum of (9) nine members (2) two whom shall be executive board members, the vice president and the second appointed by the president. The conference chairperson(s) shall also be appointed by the president. The remaining members will be representatives from the general membership.
- 2.3 The spring conference committee shall convene at least (7) seven months prior to the scheduled conferences and shall develop, prepare and present a budget and conference data to the executive board for approval prior to the inception of any conference activity.

Section 3 Fall Conference Committee

- 3.1 Fall conference committee will coordinate all of the activities as related to the respective conference.

- 3.2 Fall conference committee shall consist of a minimum of (9) nine members (2) two of whom shall be executive board members, the vice president and the second appointed by the president. The conference chairperson(s) shall also be appointed by the president. The remaining members will be representatives from the general membership.
- 3.3 Shall convene (7) seven months prior to the scheduled conferences and shall develop, prepare and present a budget and conference data to the executive board for approval prior to the inception of any conference activity.

Section 4 Counselor Training Institute Committee (CTI)

- 4.1 The counselor training institute committee will coordinate all of the activities as related to the respective training.
- 4.2 The CTI committee shall consist of a minimum of (5) five members (2) two of whom shall be executive board members appointed by the president. The chairperson(s) shall also be appointed by the president. The remaining members will be representatives from the general membership.
- 4.3 Shall convene (7) months prior to the scheduled training and shall develop, prepare and present a budget and conference data to the executive board for approval prior to the inception of any conference activity.

Section 5 Budget Committee

- 5.1 The budget committee should consist of a minimum of (3) three members and shall be chaired by the treasurer. Other members shall be appointed from the general membership by the president.

Section 6 Conference Committee

- 6.1 The conference committee shall consist of a minimum of (9) nine members (2) two of whom shall be executive board members appointed by the president. The chairpersons shall also be appointed by the president. The remaining members will be representatives from the general membership.
- 6.2 The conference committee will coordinate all of the activities as it relates to the annual conference.
- 6.3 It shall convene (8) eight months prior to the scheduled annual conference and shall develop, prepare and present a budget and conference data to the executive board for approval prior to the exception of any conference activity.

Section 7 Education/Professional Committee

- 7.1 The education committee should consist of a minimum of (9) nine members (3) three of whom should include executive board members representing the various sectors appointed by the president. The remaining members will be selected from the general membership.
- 7.2 The education committee shall review and interpret all documents generated by the EOF State Board and/or Central Office that have an impact on the academic components of the EOF program.

Section 8 Financial Aid Committee

- 8.1 The financial aid committee should consist a minimum of (6) members, (2) two of which shall be executive board members appointed by the president. The remaining members shall represent the various sectors and should possess some degree of financial aid expertise.
- 8.2 The financial aid committee shall review, interpret, and disseminate state and federal financial aid policy information.
- 8.3 The financial aid committee shall send (2) two representatives to the Technical Review Board.

Section 9 Legislative Committee

- 9.1 The legislative committee shall consist of a minimum of (6) six members, (2) two of which shall be executive board members appointed by the president with the remaining members selected from the general membership.
- 9.2 The legislative committee shall make available copies of any applicable legislation to the general membership. It shall monitor, review, and interpret educational legislation which might impact on EOF.
- 9.3 The legislative committee shall establish a liaison with the (2) state legislative education committees.

Section 10 Liaison Committee

- 10.1 The liaison committee should consist of a minimum of (10) ten members, (2) two of which shall be executive board members appointed by the president. The remaining members will be representatives from the general membership.
- 10.2 The liaison committee will coordinate, interact, communicate with similarly disposed organizations in areas of mutual interest and relevance including but not limited to A.E.E.E., A.N., W.C., A.S.P.I.R.A., N.J.A.B.E., TRI-STATE, S.E.S.S., N.J.B.I.C., H.A.R.E., NJAFA and will draft and submit articles to other professionals organizations.

Section 11 Election Committee

- 11.1 The election committee shall consist of (5) five members, the chairperson to be appointed by the president and the remaining members to be selected from the general membership.
- 11.2 The nominating election committee will convene in November of the year prior to the election year. The committee will present the slate at the February executive board meeting of the election year.
- 11.3 The election committee shall be responsible for verifying that a candidate is a member in good standing, for establishing balloting procedures, tallying ballots, and presenting results to the general membership during the Spring Conference.

Section 12 Transition Committee

- 12.1 The transition committee shall consist of a minimum of (3) three members, (2) two of which shall be the treasurer and the vice president. The remaining members will be appointed by the president-elect and shall be members of the executive board.

- 12.2 The transition committee shall be convened within 30 days of the annual meeting during an election year.
- 12.3 The transition committee shall orient newly elected officers to the duties of their respected office, to the goals and objectives of EOFPANJ and to the interpretation of the constitution and by laws. In addition, it will ensure the timely transfer of all records and pertinent data.

Section 13 Special Committees

- 13.1 Special committees may be created by the executive board with a simple majority vote of the executive board at an executive board meeting.

Article IV

AMENDMENTS

Section 1 Process

- 1.1 Any active member of this association may present amendment(s) to the constitution to his/her respective sector representative or a member of the executive board.
- 1.2 All amendment(s) must be turned over to the respective sector of the member making the amendment request, which must approve the amendment(s) by a majority vote.
- 1.3 All sector approved amendment(s) must be turned over to the executive board, which must approve the amendment(s) by a majority vote.
- 1.4 All approved amendment(s) to the constitution will be presented at the next scheduled general membership meeting.

Section 2 Approval

- 2.1 Motions for all approved constitution amendments are presented to the general membership body. Due to the act that the motion has been received by the executive board members, a vote of confidence is given. The vote of confidence is a simple majority vote which allows for the motion to be discussed and brought up for the final approval. The voting down of the motion at the vote of confidence turns down the motion and no further action can be taken on this motion unless the process is conducted again at the next general membership meeting.
- 2.2 Once a motion has passed the vote of confidence, a discussion by the EOFPANJ members will be conducted on the positives and negatives of the motion, which is facilitated by the Parliamentarian.
- 2.3 After the discussion, which will be moderated by the Parliamentarian according to Robert's Rule of Order (latest edition), a final vote will be taken. For the motion to officially become an amendment, a 2/3 vote of the executive board is required for its approval.
- 2.4 The president has the power to veto the amendment. A 3/4 vote by the executive board is required to overturn the veto.

Article V

PARLIAMENTARY AUTHORITY

Section 1 Statement

- 1.1 Robert's Rule of Order (latest edition) shall be the parliamentary authority and shall govern all matters not covered specifically or by necessary implication by the Constitution and By-laws of the EOFPANJ.

Article VI

GENERAL PROVISION

Section 1 Statement

- 1.1 These by laws may be suspended in any situation deemed by the body by the unanimous vote of members present and in good standings at an executive board or general membership meeting at which quorum is present. They may be suspended at a special meeting under the same conditions but only with the approval of the executive board.
- 1.2 If any article or section of the constitution shall be found to be in violation of any local, state, or federal law by the court of competent jurisdiction, the remaining articles and sections shall continue as if the illegal article had not been an original part of the constitution.

Article VII

DISSOLUTION CLAUSE

Section 1 Dissolution

- 1.1 The association may be dissolved only with authorization by the executive board given at a special meeting called for that purpose and with subsequent approval by a two-thirds (2/3) vote of the general membership. In the event of the organization being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the organization in accordance with its powers to any organization which has similar objectives and which has rules prohibiting the distribution of its assets and income to its members.