

CONSTITUTION AND BYLAWS
Of the
Association of Portsmouth Teachers APT
Supervisory Union No. 52
Portsmouth, New Hampshire 03801
Revised and Adopted (May 1994)
Retyped (October 2013)
Revised (July 2015)

CONSTITUTION

**ARTICLE I
NAME**

This organization shall be known as the Association of Portsmouth Teachers.

**ARTICLE II
PURPOSES**

Section 1

To work for the welfare of all school children, ~~the advancement of education and~~ to provide for diverse learning styles and needs, and to continue to the improvement of instructional opportunities for all.

Section 2

To develop and promote the adoption of ~~such~~ ethical practices, personnel policies and standards of preparation ~~as mark a profession for the teaching profession.~~

Section 3

To unify and ~~strengthen~~ support the teaching profession and to secure ~~and maintain~~ the salaries, retirement, tenure, professional and sick leave and other professional working conditions necessary to support teaching ~~as a profession.~~

Section 4

To ~~enable~~ give members ~~to speak with~~ a common voice on matters pertaining to the teaching profession and to present ~~their~~ individual and common interests before the Board of Education and other ~~legal~~ authorities.

Section 5

To ~~hold~~ acquire property and ~~fun~~ monies and to employ a staff, if necessary, for the attainment of these purposes to carry out the purposes of this Association.

Section 6

To serve as the professional voice of the Association of Portsmouth Teachers.

**ARTICLE III
MEMBERSHIP**

Section 1 – Active Membership

- A. Active membership in the Association shall be open to all professional personnel employed in the schools of Supervisory Union No. 52 who hold an earned Bachelor's or higher degree (or hold a regular vocational or technical certificate or are registered nurses on a staff basis) and where required by the New Hampshire

department of Education hold or are eligible to hold a regular legal certificate and who agree to abide by the Code of Ethics of the Educational Profession, [see Appendix A](#).

~~B. The first restriction in the preceding paragraph shall not affect professional personnel who joined before September 1, 1965.~~

B. Active membership shall be continuous until the member leaves the school system, resigns from the Association or fails to pay membership dues. ____

a. If your membership status changes (maternity, long-term absence, etc.) it is the responsibility of the member to notify Membership Chair within 30 days prior to leave occurring.

b. If paying by lump sum, all dues are required to be paid in full no later than October 1st

a-c. If a teacher opts out, he/she must follow Article 3 of the Collective Bargaining Agreement.

~~Section 2 – Associate Membership for Para-professionals.~~

~~Associate membership in the Association shall be open to all student teachers and/or interns who will receive their certification at the end of their “practice teaching.” Associate membership shall be conferred to those upon payment of such annual dues as the Association may determine with all the benefits of active membership except the right to vote, to hold elective or appointed office, or to represent the Association.~~

~~Section 3 – Associate Membership for Retirees~~

~~Associate membership for life shall be conferred upon active members who retire with twenty (20) years of membership. Active members who retire with less than twenty (20) years of membership may continue as associate members paying such annual local dues as the Association may determine. Retired members shall be entitled to all the benefits of active membership except the right to vote, to hold elective or appointive office, or to represent the Association.~~

Section 4-2 – Reserve Membership

Any person, who has been an active ~~or associate~~ member, may upon request continue her/his affiliation as a reserve member during any period of time in which her/his employment status does not qualify her/him for active membership, or in which she/he is employed less than half time as a substitute or part-time teacher.

A reserve member shall have the privilege of requesting automatic transfer to active membership at the time she/he resumes or assumes active status. Reserve membership shall be conferred to those upon payment of one-half (1/2) the annual local dues of active members with all the benefits of active membership except the right to vote, to hold elective or appropriate office, or to represent the Association.

Section 5-3 – Revocation of Membership; Reinstatement

~~According to procedures adopted by the Association~~the Department of New Hampshire Education’s Code of Ethics;~~the~~The Executive Board may suspend from membership or expel any member who shall have violated the ethics of the education profession as articulated in the NEA Code of Ethics attached as Appendix A; may cancel the membership of any member convicted of a crime involving moral turpitude in a court ~~learned in the law of a crime involving moral turpitude~~; and may reinstate a member who has previously been suspended or expelled from the Association.

Section 6-4 – Censure

The Association has the power to censure after a thorough and impartial investigation any member who the Executive Board feels is conducting herself/himself in an unprofessional manner ~~within professional jurisdiction~~.

ARTICLE IV DUES

The annual local dues shall be set at the May meeting by majority vote of the General Membership.

ARTICLE V OFFICERS

The officers of the Association shall be a President, First Vice President, Second Vice President, Recording Secretary, Corresponding Secretary, and Treasurer.

ARTICLE VI EXECUTIVE BOARD

Section 1

The Executive Board shall consist of the Officers, Faculty Representatives, and Chairpersons of the Standing Committees. It shall be the executive authority of the Association. The Officers and Chairpersons of the Executive Board do not have the power to vote (with the exception of contract and current officer elections) unless in the event of a tie, in which the Executive Board will convene to cast 1 collective vote.

Section 2

~~Under personnel policies adopted by the Association, the~~ The Executive Board shall have power to employ a staff, if needed, for the efficient management of the Association.

Section 3

Whenever a majority of the Executive Board shall agree that an officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend to the Association that the office be declared vacant. If the General Membership so votes by a two-thirds (2/3) majority, it shall immediately elect a replacement to fill the unexpired term.

ARTICLE VII AFFILIATION

As a result of the June 16, 1970, vote of the Association of Portsmouth Teachers on unification, the Association ~~shall~~ is affiliated with the NEA – New Hampshire under its rules and the National Education Association under its rules.

ARTICLE VIII AMENDMENTS

The Association may adopt amendments to this Constitution by a two-thirds (2/3) majority of ~~present~~ those voting members at any regular meeting of the General Membership provided the proposed amendment(s) has/have been published at least two (2) weeks prior to the meeting for discussion.

BYLAWS

ARTICLE I ARTICLES OF INCORPORATION

The name of the corporation, the particular business and objectives for which it is established, and the location of its principal office shall be as set forth in the Articles of Incorporation, as from time to time amended, and these Bylaws, the powers of the corporation and of its members and trustees and all matters concerning the conduct and regulation of the objectives of the corporation shall be subject to such provisions in regard thereto, if any, as are set forth in such Articles of Incorporation and such Articles of Incorporation are hereby made a part of these Bylaws.

ARTICLE II MEETINGS

Section 1 – Executive Board Meetings

The Executive board shall meet regularly at the call of the President or upon written request of five (5) members of the Board. All members may attend meetings but are not eligible to vote. If the Executive Board goes into Executive Session, all other general members in attendance will be asked to step out of meeting.

Section 2 – General Membership Meetings

The Executive Board shall arrange for General Membership Meetings for discussion of professional issues. There shall be at least one held in August/September and one in May.

Section 3- Special Meetings

Special meetings of the General Membership may be held at the call of the President or upon written request to the Executive Board by five (5) Board members or by fifteen (15) unified-APT good standing members. Business to come before special meetings must be stated in the call, which shall be sent in writing to each member of the Executive Board, not less than 5 business school days before the meeting.

Section 4 – Contract Ratification Meetings

A. Any proposed contract or contract change must be submitted to the membership in one of the following manners:

1. Informally, in writing (including electronic), with specifics in language and figures, and with provision for questions, at each school (meeting locations may be coordinated for smaller schools).
2. At a general membership meeting at the high school, not less than five school days after the written information being sent to the membership within two school days of the last individual school meetings.
3. Adequate notice of meeting details and locations in writing, to include notification in writing and posting, shall be the responsibility of the President, acting with the negotiations chair. shall be delivered by any one of these methods; by hand, by mail, and/or electronically will be provided to all APT members via hand, mail, or electronically.

B. Voting shall take place at least 48 hours within not less than 3 school days but no more than 5 school days after the general membership meeting, by secret ballot. Voting shall be held at the high school for a two-hour period starting with high school dismissal, under the supervision and direction of the chair of the elections committee (or elected vice-presidents if there is no chair of the elections committee).

a. Locations for the members of the APT to cast binding votes will be held at 6 school locations and will be offered for 30 minutes before student school day begins and for 60 minutes after student school day ends.

i. Locations of APT binding voting shall be the following: Portsmouth Middle School, Little Harbour School, New Franklin School, Dondero School, Robert J. Lister Academy, and Portsmouth High School, for a total of six locations.

b. Teachers who have multiple school locations will be assigned to vote in one school location.

c. A member of the APT board or a designated member of the APT board shall be present at each school voting location.

a.d. No vote results shall be counted at said locations, but brought to the assigned location at a time determined by the Elections Chair and counted in total.

B.C. The counting of ballots shall take place immediately after the close of voting, and a representative of each school. The Elections Chair and at least 2 APT members in good standing shall be present to witness the counting and certification of ballots, and shall report results back to their schools.

ARTICLE III QUORUM

~~A majority of their members shall be a quorum for the Executive Board and Standing Committees. Ten percent (10%)~~In accordance to the NEA ByLaws, for a school of 201-500 Organizational members, a quorum is met with 17.5 membership votes of the unified members shall constitute a quorum for the transaction of any business to come before the General membership. If the requirement of a quorum is not met on a scheduled general membership meeting, ~~matters of a regular or special nature upon which the Executive Board may have previously voted or approved, may be approved or rejected by the membership upon a poll of members taken and stated by individual representatives at the next regular or properly called meeting of the Executive Board.~~the meeting must be rescheduled before the end of the teacher school year.

ARTICLE IV POWER OF OFFICERS

Section 1 – President

The President shall preside over meetings of the Executive Board and the General Membership, nominate the Chairpersons and members of the Standing Committees subject to approval by the Executive Board, appoint special committees, be ex officio a member of all Standing Committees, and shall be the executive officer of the Association ~~except when it employees an executive secretary.~~ The President shall represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office.

Section 2 – Vice Presidents

The Vice Presidents shall perform the functions usually attributed to the office. The first Vice President shall take the responsibilities of the President, in the absence of the President. They shall work closely with one or more standing committees as the President may suggest.

Section 3 – Recording Secretary

The Recording Secretary shall assist in the preparation of the agenda and keep accurate minutes of all meetings of the Executive Board and the General Membership.

Section 4 – Corresponding Secretary

The Corresponding Secretary shall assist the President in preparing issuing the agenda and shall issue all calls and announcing the meeting or notices of meetings. She/he shall assist the President with Association correspondence, shall write such letters as the Executive Board or Standing Committees may designate. She/he shall maintain the official files of the Association.

Section 5 – Treasurer

The Treasurer shall hold be responsible for the funds of the Association and disburse them upon authorization by a two-thirds (2/3) majority vote of the Executive Board at any meeting. ~~She/he shall, with the assistance of the Executive Board, prepare in October an annual budget for submission to the members of the Association.~~ She/he shall keep accurate accounts of receipts and disbursements and shall report at each meeting of the Executive Board and the General Membership. She/he shall keep the President and the Executive Board informed of the financial condition of the Association. She/he shall prepare ~~in May~~ an annual financial statement and proposed budget for publication to members as directed by the Executive board to be voted on at a General Membership meeting. ~~She/he shall present in September financial records of the Association to the Auditor.~~ She/he shall be bonded annually by the Association.

Section 6 – Terms; Succession

- A. The Officers shall serve one (1) year, or until their successors are elected, any may be reelected without an intervening term, with the exception of the President and Treasurer who will serve a 2 year term.

- B. Whenever the offices of both President and Vice Presidents shall become vacant between elections, except as provided in ARTICLE VI, Section 3 of the Constitution, the remaining members of the Executive Board shall choose one (1) of their number of the Board Members to service as President pro ~~tempore tempore~~ until the Association can fill the vacancies.

ARTICLE V POWER OF THE EXECUTIVE BOARD

Section 1

The Executive Board shall be responsible for the management of the Association, approve all expenditures, carry out policies established by the Association, report its transactions to the members, and suggest policies for consideration by the Association.

Section 2

The Executive Board, in conjunction with its Negotiations and Contract Maintenance Committee, shall represent the Association in matters of personnel policies as prescribed in the Collective Bargaining Agreement (CBA) Master Contract. Within policies established by the Association, it may make decisions binding the Association in these matters.

Section 3

The Executive Board may delegate its power to negotiate to another committee or representative.

ARTICLE VI FACULTY REPRESENTATIVES

Section 1

In each public school of Supervisory Union No. 52, faculty members who are unified-APT members in good standing ~~of this Association~~ shall elect be appointed for a term of one (1) year, ~~or until their successors are elected,~~ representative in the following manner: one (1) representative from each building or ten member block, two (2) representatives from each twenty member building, three (3) representatives from each building with thirty members, etc

- a. one for each building if less than 10 members. The result being that every ten member block shall have one (1) representative.
- b. one APT representative can be appointed for each 10 members in a school location, resulting in a 1:10 ratio of representation

Section 2

Faculty Representatives shall have been unified members of the Association of Portsmouth Teachers, the NEA-New Hampshire, and the National Education Association for ~~at~~ one (1) year prior to their election appointment and shall maintain their membership in good standing during their term of service.

Section 3

Faculty representatives shall attend the regular meetings of the Executive Board unless they receive prior excuses from the President. After two (2) unexcused absences of a Representative, the President may declare the seat unfilled and call for a faculty election replacement to fill out the term as seated and approved by the Executive Board. ~~The President may designate a member in good standing to organize this special election.~~

Section 4

The Faculty Representatives shall may call faculty meetings of the Association members within their buildings to discuss Association business, shall may appoint such faculty committees as the Association may require, and shall

may organize ~~the and oversee the subsequent elections of faculty representatives,~~ enrollment of members, and two-way Association communication within the building ~~via e-mail, meetings, newsletters, website, or personal conversations.~~

ARTICLE VII

STANDING COMMITTEES, SPECIAL COMMITTEES, APPOINTIVE POSITIONS

Each year the President shall appoint committee chairpersons as necessary and shall release them upon completion of their duties. These committees and/or positions shall operate according to rules approved by the Association. No officer of the Association shall serve on the Elections Committee.

Section 1 – Structure

There shall be six (6) Standing committees carrying the specific functions outlined below. Members of the necessary committees shall be selected to represent different groups and interests in the Association. Each committee may, with the approval of the Executive Board, organize special subcommittees and task forces for specific activities from the membership of the Association. Descriptions of the various committees are outlined below.

Section 2 – Meetings

Each Standing Committee shall meet regularly at the call of the Chairperson

Section 3 – Reports

Each committee shall may choose a secretary-member who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Executive Board and shall prepare in-by May an annual written report summarizing objectives, action program, gains and unreach goals, which shall become a part of the continuing committee record in the Association files.

Section 4 – Titles; Duties

Some of these committees may receive a stipend, approved by the General Membership based on the yearly budget report.

- A. Membership committee, consisting of one (1) chairperson with as many members as needed~~six members~~ shall organize and conduct unified local, state, and national membership enrollment.
- B. Negotiations Committee, consisting of one (1) chairperson with as many members as needed, shall explore and prepare action programs as necessary in all areas of teacher welfare, such as salaries, leave, fringe benefits, insurance, credit and investment facilities, and general working conditions. It shall promote the establishment of written personnel policies which are arrived at as a result of cooperative efforts of the Association, Administrators, Superintendent, and the Board of Education.
- C. Contract Maintenance, will consist of three (3) members, one (1) chairperson and two (2) members representing elementary, middle, and high school shall represent the members of the Association of Portsmouth Teachers in all matters regarding personnel policies as prescribed in the Master Contract. It shall act as a liaison group between any individual member of the Association and the Superintendent, and the Board of Education in all matters which come under the areas of personnel policies. It shall advise the Executive Board in situations of censure, suspension, or expulsion of members. Additionally, it shall advise the Association on procedures for the implementation of the Code of Ethics. This committee shall meet with the Superintendent and Assistant Superintendents monthly to address district concerns.
- D. Elections Committee, consisting of one (1) chairperson with as many members as needed, shall organize and facilitate all elections that occur within the realm of the APT. Such duties include, but are not limited to:

creating, distribution, and counting the ballots, securing polling locations, and communication of the results to all members.

- E. Seniority Committee, consisting of one (1) chairperson with as many members as needed, shall maintain an accurate and current list of all members in APT in regards to years-of-service in district, date of hire, and certifications.
- F. Year-End Celebration, consisting of one (1) chairperson with as many members as needed, shall organize the year-end APT event including: venue location, meals selection, honoring retirees and milestones, marketing and communication of event information, and maintaining budget and accurate receipts in a timely manner.
- B.G. Instruction and Professional Development Committee, consisting of (1) chairperson with as many members as needed to explore and develop action programs to raise and maintain standards for continued education and/or certification, ~~employment, assignment, and evaluation~~; to improve opportunities for pre-service, continuing, and in-service professional education. ~~It shall exercise professional concern in programs involving student teachers or relating to the concept of professional autonomy. It shall advise the Association on procedures for the implementation of the Code of Ethics.~~
- C.H. ~~Community Relations~~Public Relations & Community Service Committee, consisting of one (1) chairperson with as many members as needed, ~~shall endeavor to work with existing community groups whose purposes can be broadly defined as seeking solutions to some of the social problems faced by teachers and students within the school district. It shall explore and develop an in-service program to help teachers and students cope with their existence in schools~~ opportunities for teachers to be involved within the community. This committee shall seek to develop communication and public understanding of the purposes of the Association, the values and importance of education, and the educational philosophy and programs within the schools.
- ~~D.I. Communications Committee, consisting of one (1) chairperson with as many members as needed, shall seek to develop through all available channels of communication public understanding of the purposes and program of the Association, the values and importance of education, and in cooperation with the administration, the educational philosophy and programs of the schools.~~
- ~~E. Negotiations Committee, consisting of one (1) chairperson with as many members as needed, shall explore and prepare action programs as necessary in all areas of teacher welfare, such as salaries, leave, fringe benefits, insurance, credit and investment facilities, and general working conditions. It shall promote the establishment of written personnel policies which are arrived at as a result of cooperative efforts of the Association, Administrators, Superintendent, and the Board of Education.~~
- ~~F. Contract Maintenance shall represent the members of the Association of Portsmouth Teachers in all matters regarding personnel policies as prescribed in the Master Contract. It shall act as a liaison group between any individual member of the Association and the Superintendent, and the Board of Education in all matters which come under the areas of personnel policies. It shall advise the Executive Board in situations of censure, suspension, or expulsion of members.~~
- J. Political Action Committee, consisting of one (1) chairperson with as many members as needed, shall work for the maintenance and improvement of the Teachers Retirement System and the securing of legislation favorable to education and Teacher welfare. It shall disseminate information about educational legislation at the local, state, and national level and encourage the membership to take responsible actions relating thereto, and recommend these actions to the Executive Board and the Association.

~~G. Calendar Committee, consisting of one (1) chairperson with as many members as needed, may conduct surveys and discuss with the SAU 50 regarding any input/design for future school year calendars. Additionally, the committee may report to the Executive Board and the School Board.~~

~~H.K. Scholarship Committee, shall consist of members and responsibilities as outlined in Article 3 of the Collective Bargaining Agreement~~

Section 5 – Relation to Executive Board

The Executive Board shall approve of the Chairpersons and members of the Standing Committees that are nominated by the President and of these that are to fill unexpired terms as vacancies occur, ~~and shall plan for an organization committee conference each year. It shall require and assist committees to define their immediate and long range objectives. It The Executive Board~~ shall review committee plans as necessary ~~and shall decide any jurisdictional argument between committees.~~

Section 6 – Relation to State and National Associations

The ~~S~~standing ~~committees~~ Committees shall seek to understand and relate to the objectives and programs of corresponding units of state and national associations and shall counsel with them.

~~ARTICLE VIII~~ ~~SPECIAL COMMITTEES, APPOINTIVE POSITIONS~~

~~Each year the President shall appoint an Elections committee, a Scholarship Committee, a Social Affairs Committee, an Auditor, and such other special committees and/or positions as may be necessary and shall discharge them upon completion of their duties. These committees and/or positions shall operate according to rules approved by the Association. No officer of the Association shall serve either on the Elections Committee or as an Auditor.~~

~~ARTICLE IX~~ ARTICLE VIII NOMINATIONS, ELECTIONS

Section 1 – Nomination of Officers

- A. The active members of the Association in each building during the month of April may nominate candidates for President, First Vice President, Second Vice President, Corresponding Secretary, Recording Secretary, and Treasurer. ~~A designated~~ Faculty Representatives and APT members shall deliver all nominations in writing to the elections Committee, said committee having been previously appointed by the President at the April Executive Board meeting.
- B. Nominations for the position of any executive office shall be made on nomination papers developed by the Election Committee. This section shall not be construed as to prevent any member in good standing from nominating her/himself providing the qualifications for office are met and an APT member in good standing will support and sign the nomination form.
- C. Candidates for the Presidency ~~or~~ and First Vice Presidencies shall have been active members of the Association for at least three (3) years immediately preceding taking office. Active membership is defined as serving as a representative from his/her respective school building, active membership of a subcommittee, or regularly attends Executive Board meetings.
- D. Candidates for Second Vice President, Corresponding Secretary, Recording Secretary, and Treasurer shall have been active members of the Association for at least two (2) years immediately preceding taking office.
- E. The Elections Committee shall report all nominations to the Executive Board at its May meeting. The Elections Committee prior to balloting shall publish to the members brief information on each candidate when running for contested office.

Section 2 – Balloting for Officers

~~On the second Monday after the May In the Spring~~ Executive Board ~~M~~meeting, members shall vote for officers in contested positions by ballot, in accordance with the procedures below. ~~developed by the Elections Committee and approved by the Executive Board. The Committee shall report the results to the procedures developed by the Elections Committee and approved by the Executive Board. The Committee shall report the results to the President who shall cause them to be published.~~

- A. Voting shall take place not less than 3 days but no more than 5 school days after the general membership meeting, by secret ballot. Voting shall be held, under the supervision and direction of the chair of the elections committee (or elected vice-presidents if there is no chair of the elections committee).
- a. Locations for the members of the APT to cast binding votes will be held at 6 school locations and will be offered for 30 minutes before student school day begins and for 60 minutes after student school day ends.
- i. Locations of APT binding voting shall be the following: Portsmouth Middle School, Little Harbour School, New Franklin School, Dondero School, Robert J. Lister Academy, and Portsmouth High School, for a total of six locations.
- b. Teachers who have multiple school locations will be assigned to vote in one school location.
- c. A member of the APT board, or a designated member of the APT board shall be present at each school voting location.
- ~~C.d.~~ No poll results shall be counted at said locations, but brought to the assigned location and time determined by the Elections Chair and counted in total with all voting locations. Such counting of votes from all six locations shall be present and accounted for and counting shall not commence until after the last location has closed.
- ~~A.B.~~ The Elections Chair and at least 2 APT members in good standing shall be present to witness the counting and certification of ballots, and shall ~~report~~ notify the President who will approve and announce the results ~~back to their schools~~ to the APT Membership.

Section 3 – Faculty Representatives

- A. Faculty Representatives shall be ~~elected~~ appointed during the month of May before the start of the school year, or when needed, by the unified members in their individual building and their names shall be submitted to the ~~Elections Executive Board~~ Committee.
- B. ~~The Chairperson of the Elections Committee shall report in writing the names of the newly elected Faculty Representatives to the Association.~~

Section 4 – Terms of Office

The term of office for Officers ~~and~~, Faculty Representatives, and Standing Committee Chairpersons with a one year term shall be from July 1 of the year they are elected until June 30 of the following year. Officers with a two year term shall be from July 1 of the year they are elected until June 30 of the second year.

ARTICLE XIX **AUTHORITY PROCEDURES**

Robert's Rules of Order Newly Revised shall be the parliamentary ~~authority~~ guide for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the Association may adopt.

ARTICLE XIX **AMENDMENTS**

The Association may amend these Bylaws in the same manner as it may amend this Constitution. (Refer ARTICLE VIII, Constitution)

APPENDIX A

Code of Ethics

Preamble

The National Education Association believes that the education profession consists of one education workforce serving the needs of all students and that the term 'educator' includes education support professionals.

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of the democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than the one specifically designated by the NEA or its affiliates.

PRINCIPLE I

Commitment to the Student

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator--

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student's access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

PRINCIPLE II

Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a noneducator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

Adopted by the NEA 1975 Representative Assembly

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