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# Troy Education Association Bylaws

### Article 1 - Name and Purpose

### Section 1 - Name

The name of the organization will be the Troy Education Association, an affiliate of the Illinois Education Association and the National Education Association.

### **Section 2 - Purpose**

The object of the Association is to advance public education in Illinois, to promote the welfare of non-management school personnel, and to speak for the membership in matters relating to their welfare.

### Article II - Membership, Affiliation and Non-Dicrimination

### **Section 1 - Membership**

Membership will be open to all bargaining unit employees who are full and part-time teachers and ESP personnel employed by Troy community Consolidated School District 30-C, Plainifield, Illinois.

### Section 2 - Affiliation

This organization will be affiliated with, and comply with the Bylaws of the Illinois Education Association and the Constitution and Bylaws of the National Education Association. If there are any conflicts or inconsistencies between these bylaws and the bylaws or constitution or the state or national organization, the state or national documents will govern.

### **Section 3 - Privileges**

Members will have full membership services and privileges, including voting, holding office, serving on committees and commissions, serving as a delegate to IEA and NEA assemblies, participating in fringe benefits provided by the Association and related enterprises, and such other rights and privileges as are conferred through the Association governance.

### **Section 4 - Censure and Discipline**

In the event a charge is filed against a member calling for the censure, suspension, or expulsion of the member, the Executive Board shall conduct a due process hearing and rule on the charge. The decision of the Board may be appealed to the REpresentative Assembly and from there to the IEA Review Board. The local shall deny membership to an individual whil that individual is denied membership in the IEA pursuant to NEA Bylaw 2-3.d.

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#### **Section 5 - Non-Discrimination**

This organization shall not deny membership based upon race, color, national origin, religion, gender, sexual orientation, age, disability, marital status or economic status.

#### **Article III -- Governance**

#### **Section 1 - Executive Officers**

The Executive officers of the Association will be the President, two (2) Vice-Presidents (one certified Vice-President and one ESP Vice-Presient\_, Secretary, and Treasurer. Executive Officers are not eligible to serve as Building Representatives.

#### **Section 2 - Executive Board**

The Executive Board will consist of the Executive Officers.

#### **Section 3 - Representative Assembly**

The REpresentative Council will consist of the Executive Board and elected building Representatives from each building in the school district. Each building will have two certified representatives and two ESP representatives (custodian, secretary, nurse, teaching associate (TA), technology associate, library associate). In addition, the Transportation department will have four ESP representatives.

#### **Section 4 - Recall**

Any Executive Board member may be removed by a two-thirds  $(\frac{2}{3})$  vote of those members voting at a membership meeting when a majority of the membership is present. Such recall election will be conducted by the Election Committee upon receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the membership.

#### **Article IV -- Executive Officers**

#### **Section 1 - Duties**

- A. President. The President shall be the Chief Officer, with the power and the duty to enforce and interpret the Bylaws, carry out Association policies between Executive Board and REpresentative Assembly meetings, sign contracts and agreements represent the Association before the public either personally or through designees, appoint and remove members of all committees with the majority vote of the Representative Assembly, serve as ex-officio member on all committees, cause a budget to be constructed and an annual audit to occur, and set the agendas and preside over meetings o the Executive Board and Representative Assembly, and the membership. Further, the President will have the power and duty to perform all acts generally associated with the nature of the office and such other duties applicable to the office as prescribed by the parliamentary authority adopted herein which are not inconsistent with the Bylaws.
- B. **Vice-Presidents.** The two (2) Vice-Presidents will have the powers and duties of the President as may be assigned by the President. In the event of the President's inability to serve, the Vice-President who has served the greeted time as a voting member of

the Executive Board will fulfill the duties of the President. In the event that both Vice-Presidents have served the same amount of time as voting members of the Executive Board, the Representative Assembly shall select by majority vote one of the Vice-Presidents and the Vice-President to fulfill the duties of the President. If a vacancy of the office of the President occurs, one (1) Vice-President shall succeed to the Presidency pursuant to the Bylaws

(ArticleIV, Section 3A).

- C. Secretary. The Secretary shall maintain the official files and shall assist the President with Association correspondence. The Secretary shall keep accurate minutes of each meeting of the Executive Board and Representative Assembly and each meeting of the membership, and shall notify members of regular and special meetings. The members of the Representative Assembly within fourteen (14) calendar days of the meetings. The Secretary will distribute minutes of the Membership meetings to the membership within fourteen (14) calendar days of the meetings will be made available to any member upon request.
- D. Treasurer. The treasurer Shall coordinate the records of membership with the Membership committee, keep accurate records of expenses and income including receipts and disbursements, prepare and present a monthly report of financial transactions at the Representative Assembly meetings and a summative report at meetings of the membership. The Treasurer shall be responsible for the payment of bills and for transmitting dues to the IEA as per IEA policies. The Treasurer shall submit the Association books for audit (Article XI, Section 8). All financial transactions of the Association requiring a signature must include the Treasurer's signature and one other Executive Board member's signature. The financial books and records of the Association shall be open to inspection by any member. A request to inspect the financial records of the Association may be submitted to the Treasurer in either written or electronic mail form. The Treasurer shall be present at this inspection, to be held within fourteen (14) calendar days of the request.

### Section 2 - Terms

- A. Term. The Term of office for Executive Officers will commence on the last day of student attendance. The term will be 2 years and until a successor is elected. Officers may succeed themselves. The President and Treasurer shall be elected in even numbered years. And the two (2) Vice-Presidents and Secretary shall be elected in odd numbered years. The year of the spring semester of the school term shall be used to determine whether the school term is even or odd. Each such election is to be held on the day of the local TEA Election in May. The election by the membership shall be held as prescribed in the Bylaws Article IX Elections.
- B. **Transfer of Records.** Each officer shall transfer records to the Association within fourteen (14) calendar days of leaving office.
- C. **Stipend.** After fulfilling their duties of the school year, each of the Executive Officers shall be paid a \$595 stipend by the Troy Education Association. The stipend will be prorated for partial service completed.

#### **Section 3 - Vacancies**

Vacancies occurring by reason of death, resignation, incapacity or other disqualification or reason whatsoever for a period of thirty (30) calendar days shall be filled as follows:

- A. President. A vacancy in the office of the President will be filled by one (1) Vice-President for a maximum of thirteen (13) months. In the event of a vacancy lasting longer than 13 months, a special election for the remainder of the ter will be held during the may local election The Vice-Presented who has served the greatest time as a voting member of the Executive Board will succeed to the office of the President. In the event that both Vice-Presidents have served the same amount of time as voting members of the Executive Board, the REpresentative Assembly shall select by majority vote one of the Vice-Presidents as the successor.
- B. **Other Officers.** If the vacancy occurs in any other office, the Present shall appoint a successor for the remainder of the unexpired term, with the consent by majority vote of the Representative Assembly.
- C. **President and Vice-Presents.** If a vacancy occurs in both the office of President and of both Vice-Presidents, the Secretary or Treasurer, the one who has served the greatest time as a voting member of the Executive Board, shall assume the President's duties until an election is conducted by the Election Committee within sixty (60) calendar days to complete the unexpired terms.

#### Article V -- Regional Council Representatives and Alternates

#### **Section 1 - Duties**

IEA Regional Council Representative(s) shall attend regional council meetings, represent the Association, and report Council Activities to the Executive Board and REpresentative Assembly and membership as necessary.

An alternate shall perform the duties of the Regional Council Representative in his or her absence.

#### **Section 2 - Election and Terms**

The Election of Regional Council Representative(s) and alternate(s) must be as prescribed by the IEA Bylaws.

#### **Section 3 - Vacancies**

Vacancies for Regional Council Representative(s) and alternate(s) must be filled in the manner of the original election as prescribed by the IEA Bylaws.

#### Article VI -- Building Representatives (BRS)

#### **Section 1 - Duties**

The Building Representative is a member of the Association elected by the members of each attendance center to provide two-way communication between the Association and the members, distribute materials to members personally, and conduct informative meetings. The BRs shall

recruit volunteers for Association jobs and activities and generate support for Association positions and programs. The Association shall provide training for BRs, keep the BRs informed of Association activities and positions, and provide incentives for attracting and retaining BRs. Building Representatives serve as voting members of the Representative Assembly.

#### Section 2 - Terms

The term of office for Building Representative will commence on the last day of student attendance. The term will be 1 year and until a successor is elected. Each such election is to be held on the day of the local TEA election in May.

#### **Section 3 - Stipends**

Building Representatives shall be paid a stipend for attendance at Representative Assembly meetings. The amount of the stipend shall be determined according to the Association budget.

#### **Section 4 - Vacancies**

If a vacancy occurs in the position of Building Representative, the President shall appoint a replacement for the unexpired term with the consent of the majority of the Representative Assembly.

#### **Section 5 - Recall**

Any Building Representative may be revoked by a two-thirds (2/3) vote of those members from the attendance center who elected that position, provided a majority of the membership votes. Such recall election will be conducted by the Election Committee upon receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the eligible membership.

#### **Article VII -- Executive Board**

#### **Section 1 - Duties**

The Executive Board shall conduct and supervise the business of the organization as directed by the Representative Assembly, annually recommend a budget for adoption by the Representative Assembly, annually recommend a budget for adoption by the Representative Assembly, undertake such expenditures as are necessary and reasonable for the operation of the organization, consent to the appointment of ecommittees, plan and recommend programs to the membership, develop Bylaws, approve expenditures, and consent to the filling of vacancies.

#### **Section 2 - Meetings**

A, Quorum. A majority of the members of the Board must be present to conduct business, and a majority vote of those present will rule.

B. Regular Meeting. The Executive Board shall meet one (1) time per month during the school term, and may meet as many additional times as necessary or reasonable to transact its business. The calendar of Executive Board meetings shall be established by the Board and announced by the September Representative Assembly meeting.

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C. Special Meetings. Special meetings may be called by the President, or may be called upon the written request of 3 members of the Executive Board. Except in cases of emergency, at least 48 hours notice must be given to all Executive Board members and business must be limited to that contained in the notice.

### Article VIII -- Representative Assembly

### **Section 1 - Duties**

The REpresentative Assembly shall annually approve a budget, establish the dues, and approve expenditures, and may adopt programs on behalf of , or for recommendation to, the membership.

### **Section 2 - Minority Representation**

The REpresentative Assembly shall contain, whenever possible, ethinic minority representation at least proportionate to the local association's ethnic0minority membership.

### **Section 3 - Meetings**

- A. **Quorum.** A majority of the members of the Assembly, which must include either the President or One (1) Vice-President, must be present to conduct business, and a majority vote of those present will rule.
- B. Regular Meeting. The Representative Assembly shall meet one (1) time per month during the school term, and may beet as many additional times as necessary or reasonable to transact its business. The calendar of Representative Assembly meetings shall be established at the first Representative Assembly meeting in August. The President shall preside over Representative Assembly meetings and shall set the agenda for the meetings. The agenda for meetings of the REpresentative Assembly shall be given to the members of the REpresentative Assembly no less than 48 hours before the time of the meeting.
- C. **Special Meetings.** Special meetings may be called by the President, or may be called upon the written request of eleven (11) members of the Representative Assembly. Except in cases of emergency, at least 48 hours notice must be given to all Representative Assembly members and business must be limited to that contained in the notice.

### **Article IX -- Elections**

### **Section 1 - Elections Committee**

A. Composition. No person running for office may serve on the Elections Committee for that election. Members of the Election Committee must be active dues paying members of the Association. This does not include fair share or reserved members. Each attendance center will designate two (2) members to serve on the Elections Committee, pending approval by the Representative Assembly by the August meeting of the REpresentative Assembly. The Elections Committee Chair shall be selected by a vote of the Elections Committee members.

- B. Duties. Establish procedures subject to the approval of the Representative Assembly for nomination of candidates, dissemination of notices concerning the election and conduct of the election and tabulation of the ballots consistent with procedures established by the IEA Elections Committee. The chair of the Elections Committee will confirm the eligibility of candidates on the ballot. Election procedures must be distributed to all members of the Elections Committee for each election conducted. Hear initial election challenges.
- C. **Vacancies.** Should a vacancy occur on the Committee, whether because a member becomes a candidate for office or for any other reason, the vacancy will be filled in the manner of the original appointment.

### **Section 2 - Election Procedures**

- A. **Calendar.** The Elections Committee shall establish a local election calendar with nominations and election timelines by the September Representative Assembly meeting.
- B. **Conduct.** All elections will be conducted by open nomination and secret ballot. Absentee voting may occur.
- C. Nominations. Reasonable notice will be given for nomination for all offices to be filled. Notice will include time, place, and method for submitting nominations. Nomination forms will have a section for candidates to state their rationale for serving in that position.
- D. **Write-In Provisions.** A write-in provision is required if the number of declared candidates is less than the number of positions available.
- E. **Eligibility.** All active dues paying members must be afforded the opportunity to nominate, run for office, and vote in any election representing active members. This does not include fair share or reserve members.
- F. **Notice.** A fifteen (15) calendar day notice of local elections will be given by posting or by other means.
- G. **Consistency.** All election procedures will be consistent with Regional, State, and Federal Requirements.
- H. **Use of Dues.** No dues may be used in support of a candidate for any Loca., Regional, State, or National office.
- I. **Offices Governed by this Article.** All Local Officers, Building Representatives, Regional Council Representatives, Delegates to IEA REpresentative Assembly, and Delegates to NEA Representative Assembly.
- J. **Absentee Voting.** Provision should be made for Absentee voting. Appropriate steps must be taken to maintain the secrecy of such ballots and to prevent abuses. In order to ensure every member's right to vote, a process for absentee voting should be established by the Elections Committee. Absentee voting is not for convenience, but should be available to members who will not be at a voting site on the date and time

of the election. Absentee ballots may be cast before the election, but **not after** the specified date and times of voting. In the event of Remote Learning, all members may absentee vote. Secrecy of the ballots is a must.

Members who do not believe they will be able to be on-site for the election may request a ballot from the Elections Committee chair no more than two days before the election. Absentee voters will place their ballot in a sealed, plain envelope and will sign and print their name and attendance center on the second envelope. The plain ballot envelope will be placed in the signed envelope to maintain secrecy of the ballot and the signed envelope will be used to check against the membership list for eligibility of voting with the attendance center. The double envelope will be kept secure by the Elections Committee and opened at the time of tallying. All absentee voting materials are kept with the other election materials for a period of one year.

- K. **Runoff Elections.** In the event that there is no candidate who has received a majority of the votes cast for an Executive Office, the Elections Committee shall immediately conduct a runoff election between the two candidates who had received the highest Representative Assemblies and Building Representatives shall be decided by plurality votes. Runoff elections will be run in the same manner as the original election.
- L. Results of the Election. The official tally shall take place as soon after the election as possible. In no event shall the tally be more than 7 days after the election. Candidates and/or their observer(s) may be present at the tally and know the results. Ballots must be secured at all times. The results of the election must be published in a timely manner which allows members to obtain the information without unusual effort.

### **Section 3 - Electron Challenges**

Any member desiring to challenge the conduct of any election must file a written challenge according to the procedures as follows:

- A. **Local Level** Initial challenges to all local elections governed by this Article will be filed with the Local Elections Committee. Such challenges must be made no later than five (5) calendar days of issuance of the election results.
- B. **Region, State and National Level** Consult the region, state, and national governing documents for additional challenge procedures and timelines, especially for offices which serve as delegates to the IEA and NEA REpresentative Assemblies.

### Article X -- Arbitration and Grievance Appeal

The REpresentative Assembly shall decide whether or not a grievance will be processed to final and binding arbitration. Recommendations should be provided to the Representative Assembly from the Grievance Committee. The affected member (or a designated representative if there are several grievances) has a right to address the Assembly before the Assembly decides whether to take the matter to arbitration.

### **Article XI -- Committees**

### **Section 1 - Appointment**

Committees may be established on an ad hoc basis by the Representative Assembly. Members of standing and ad hoc committees may be selected by appointment by the President with the approval of the Representative Assembly. Each committee will designate the chairperson of the committee. Committee reports will be given at the monthly Representative Assembly meetings.

### **Section 2 - Standing Committees**

There will be the following standing committees: Negotiations, Grievance, Membership, Elections, Budget, Audit, and Communications.

### **Section 3 - Negotiations Committee**

The Negotiations Committee shall explore and prepare programs as necessary in all areas of employee welfare, contractual and otherwise. The committee whall solicit input from the membership as a whole. The Bargaining Team will be appointed by the President with consent of the Representative Assembly.

### **Section 4 - Grievance Committee**

The Grievance Committee shall be responsible for monitoring and enforcing the contract. It shall assist members in the application of the grievance procedure. It will make recommendations whether to arbitrate grievances to the Representative Assembly.

### Section 5 - Membership Committee

The Membership Committee shall organize and maintain an accurate up-to-date roster of membership. The Membership Committee Chair will provide the membership roster to the Treasurer for purposes of collection of dues. The MembershipCommittee chair will be responsible for updating and returning membership rosters to IEA> The Membership Committee chair will provide the membership roster to the Elections Committee Chair to establish voting rosters for each attendance center. It shall inform the membership of the policies, programs, and accomplishments of the local, state, and national Associations.

### **Section 6 - Elections Committee**

The Elections Committee shall be responsible for the development of procedures for the supervising and conducting the elections of the local association and the implementation of those procedures. (see Article IX - Elections).

### Section 7 - Budget Committee

No later than the May Representative Assembly meeting, the Executive Board shall appoint members to the Budget Committee to develop a proposed budget for the following fiscal year (July 1st to June 30th). During August of each year, the Executive Board and the members of the Budget Committee will develop a final budget and present it to the Representative Assembly atht eh regular August meeting for approval. Included with the proposed budget will be the establishment of local Association dues (see Article XVI Dues).

### Section 8 - Audit Committee

The Association's books and records shall be audited at a minimum of once a year within a month of the end of the fiscal year. The fiscal year of the Association shall begin on July 1st and shall end on June 30th each year. An Audit Committee of three (3) members and one (1) alternate shall be selected by the President and approved by the Representative Assembly meeting in May. The Audit Committee shall examine the financial records and report its findings to the Representative Assembly at the August meeting of the Representative Assembly. By recommendation of the Audit Committee and by decision of the Representative Assembly, a professional auditor may be used. Anyone authorized to sign checks is not eligible to audit the financial records.

### **Section 9 - Communications Committee**

The communications committee shall be responsible for planning and implementing the public relations activities of the local association, including membership newsletters and maintaining the website of the local association.

### Article XII -- Meeting of the Membership

**Section1.** Regular meetings of the membership will be held at least three (3) times during the school term. Budget will be adopted annually by the Representative Assembly and presented to the membership at the first meeting of the membership. The calendar of the meetings of the membership shall be established by the August meeting of the Representative Assembly. A quorum shall be met to conduct normal membership business when twenty-five (25) percent of the membership is present, and a majority vote of the quorum will rule.

**Section 2.** Special meetings of the membership may be called by the President, a majority of the Executive Board, or a petition by twenty-five (25) percent of the membership. Except in case of an emergency, at least 7 calendar days notice shall be given. The Secretary shall notify the membership as soon as possible.

### Article XIII -- Voting

Unless otherwise provided herein, the adoption of all business by the REpresentative Assembly and the membership must be by a majority of those voting. Proxy voting is not permitted. Electronic voting is not permitted.

### Article XIV -- Parliamentary Authority

All meetings of the Association will be governed by Robert's Rules of Order, Newly Revised.

### Article XV -- Notice

Wherever the word 'notice' is used, notice may be given by personal delivery, on paper, electronically or other method to reasonably assure receipt by the necessary parties.

### Article XVI -- Dues

Local dues will be established by the Representative Assembly within the annual budget. The IEA-NEA dues will be transmitted to the IEA-NEA pursuant to IEA0NEA policies. The books and records of the organization will be open to inspection by any member upon reasonable request (Article IV, Section 1 D).

### Article XVII -- Savings Clause

In the event a portion or portions of these Bylaws are found to be inconsistent with state or federal law, such portions to the extent that they violate the law will be deemed deleted and of no force and effect.

### **Article XVIII -- Amending Procedures**

Proposed revisions to these Bylaws must be submitted to the Secretary at least fourteen (14) calendar days before a regularly scheduled Representative assembly meeting. A proposed revision to the Bylaws may be recommended by an ad hoc Bylaws Committee or a proposed revision may originate from the membership if accompanied by the signatures of at least ten (10) voting members. If the proposed revision comes via a proposal with signatures, it can be discussed and modified at the REpresentative Assembly meeting via agreement between the proposers and the REpresentative Assembly. The proposal will be presented to the membership at least fourteen (14) calendar days prior to the meeting of the membership. A discussion of the proposal will take place at this meeting. A ballot vote will follow the discussion provided a quorum of at least twenty-five (25) percent of the membership is present. A <sup>2</sup>/<sub>3</sub> vote of the quorum is needed for the proposal to pass.

These bylaws shall be reviewed for modifications and corrections at a minimum of every two years by an ad hoc Bylaws Committee.

These Bylaws were approved by the general membership by a two-thirds majority on March 16, 2021, replacing all previous iterations of this document.

Previous Versions of Constitution and Bylaws was dated May 17, 2016

Adopted March 16, 2021

Amended \_\_\_\_\_, 20\_\_\_\_\_

## **Addendum: Bylaws Glossary**

**Bylaws** establish the purpose and structure of an organization: define membership classifications, rights, and obligations; and define rules and procedures for conducting business.

Parliamentary law principles:

- The will of the majority;
- The right of the minority to be heard;
- Protection of the rights of absentees;
- Courtesy and justice for all; and
- Consideration of one subject at a time.

**Deliberative Assembly:** an independent or autonomous group of people meeting to determine, in full and free discussion, courses of action to be taken in the name of the entire group.

**Ex officio:** Latin term meaning "by virtue of office or position"." *Ex-officio* members of boards and committees are members by virtue of some other office or position they hold. For example, if the bylaws provide for an audit committee consisting of the treasurer and three other members appointed by the president, the treasurer is said to be an *ex-officio* member since he or she is automatically a member by virtue of the fact that she holds the office of treasurer. Ex-officio members have the same rights and privileges as do all other members, including the right to vote.

**Due Process:** While due process changes in the context of the situation, it essentially means fundamental fairness including notice of the accusations and a right to respond and be heard in an orderly proceeding.

**Standing v.** *Ad hoc* **committees**: A standing committee is one that will have a continuing need to meet such as a grievance or election committee. An *ad hoc* committee is one formed for a particular purpose at hand and no other, such as a crisis committee.

**Plurality v. majority:** A majority is more than half. A plurality is the largest among many. For example, in an election among three candidates, if one candidate had 20 votes, another 21, and the third had 10. The second candidate would win by a plurality, but there would need to be a run off if the bylaws required winning by a majority vote since that would require at least 26 votes.

**Minutes:** Official record of the business of an organization. Minutes should record what was done, not what was said.

Without Portfolio: Does not have voting privileges

Attendance Center: Building or department where a member works and casts their vote. If a member works in more than one attendance center, the membership committee will determine the center for that member's voting.