

Tucson Education Association

Constitution/Bylaws

Adopted December 9, 1987

Amended January 17, 1996

Amended January 14, 1998

Amended January 13, 1999

Amended January 23, 2002

Amended January 15, 2003

Amended January 18, 2006

Amended January 24, 2007

Amended January 20, 2010



Constitution/Bylaws

Preamble: Mission Statement

To secure professional status and respect for public school employees and to promote quality public education.

Article I Name and Affiliation

That the name of the organization shall be Tucson Education Association, hereafter referred to as TEA.

- Section 1. The Tucson Education Association shall be affiliated with the Arizona Education Association and the National Education Association.
- Section 2. TEA shall meet the standards for affiliation as set forth in the Arizona Education Association and the National Education Association official governance documents.

Article II Membership

- Section 1. Classes of Membership
- A. Active Certified Membership
Active certified membership in TEA shall be open to all certified and licensed and/or endorsed personnel employed by TUSD or by lawfully chartered schools in which TEA and/or TUSD are a party.
 - B. Active Classified Membership
Active classified membership in TEA shall be open to all Education Support Professionals employed by TUSD or by lawfully chartered schools in which TEA and/or TUSD are a party who are not eligible for active certified membership.
 - C. Honorary Memberships
All retirees who were active members of TEA immediately prior to their retirement shall be classified as Honorary Members. Other Honorary Memberships shall be granted anyone upon the approval of the Board of Directors.

Section 2. Rights of membership

- A. Every active member shall have the equal rights and privileges within the organization to nominate, to be nominated, to hold office; to vote in elections or on referenda of TEA; to serve on committees and to attend deliberative meetings in which voting on the business of TEA takes place.
- B. Every member shall have the right to meet and assemble fully with other members; to express views at meetings upon candidates in an election of TEA or upon any business properly brought before the meeting.
- C. Each member shall be guaranteed "due process." No member shall be fined, suspended, expelled or otherwise disciplined except for non-payment of dues without being served with specific written charges and given full "due process" rights including an administrative hearing before the Board of Directors.

Section 3. Obligations of Members

Members shall support the purposes and programs of TEA, maintain professional ethics and standards to correspond with NEA code of ethics, conform to the Articles of Incorporation, Bylaws, statements of Policy of TEA, and pay membership dues and assessments.

Section 4. Membership Year

The membership of TEA shall commence on September 1 of each year.

**Article III
Dues and Assessments**

Section 1. Active Members

- A. The annual dues of full time active certified members shall be one-half of one percent (.005) of the base salary at the Bachelor's Degree Level. Dues shall be paid by cash, check, or payroll deduction. Payroll deduction provides continuous membership.
 - 1. An assessment in the amount of two dollars (\$2.00) per year shall be collected from all certified members to be deposited to the Scholarship Fund which will be administered by the Scholarship Committee.
 - 2. An assessment in the amount of two dollars (\$2.00) per year shall be collected from all certified members to be deposited to the Tucson Education Association Public Relations Fund, which will be administered by the Tucson Education Association Board of Directors.

- B. The annual classified dues shall be one-half of one percent (.005) of the annual salary at step one of the lowest grade of the classified members' salary schedule. Dues shall be paid by cash, check or payroll deduction. Payroll deduction provides continuous membership.
 - 1. An assessment in the amount of one dollar (\$1.00) per year shall be collected from all classified members to be deposited to the Scholarship Fund which will be administered by the Scholarship Committee.
 - 2. An assessment in the amount of one dollar (\$1.00) per year shall be collected from all classified members to be deposited to the Tucson Education Association Public Relations Fund, which will be administered by the Tucson Education Association Board of Directors.
- C. New members joining by payroll deduction shall pay dues on a pro-rata basis for the remainder of that school year.
- E. Membership dues paid by cash or check are due in full on or before November 1 of each year.
- E. A member may change from cash payment of dues to payroll deduction at any time. It is the member's responsibility to contact TEA requesting this change.
- F. Members failing to make payments in full as specified above shall be notified by the TEA President that their membership has been revoked effective November 1.

Section 2. Exceptions to the Annual Dues

- A. Certified members on one-half or less contract shall be required to pay only one-half the annual dues with no restrictions on benefits. Classified members on four (4) hours or less contract shall be required to pay only one-half the annual dues of full-time classified members with no restrictions on benefits.
- B. For members on paid or unpaid leave of absence, dues shall be the lowest category in their respective membership classification, with the exception of the president, who shall pay full dues.

Section 3. Honorary Members

No dues shall be required of Honorary Members.

Section 4. Dues Change

The dues formula for active membership of TEA shall be changed only by a majority vote of those members voting; provided that no more than one election per school year shall be held relative to a dues change.

Section 5. Continuing Membership

Membership in TEA is on a continuing basis. For persons in units for which TEA bargains, membership is for one full school year and shall be automatically renewed for each succeeding school year unless, by August 1 of each year, the member delivers written notice of revocation to the Tucson Education Association. Membership shall terminate at the end of the membership year in which the written notice is tendered. In the event the member's employment is terminated by resignation or otherwise, the balance of dues for that year shall be deducted from the final salary warrant. For persons who are not in a TEA bargaining unit, membership shall be on a continuing basis until the member separates from TUSD employment or submits a letter of resignation.

Section 6. Special Assessments

Special assessments made by TEA shall be passed by a majority vote of those members voting in the same manner as dues changes, Article V., Section 4. Special assessments shall be made by NEA and AEA according to their Bylaws.

**Article IV
Officers**

Section 1. The officers of TEA shall be the President, Vice President and Secretary-Treasurer.

Section 2. President

The President shall preside at meetings of the Board of Directors and at meetings of the Representative Assembly, appoint the chairpersons of standing committees, appoint special committees, be an ex-officio member of all standing committees and be the executive officer of TEA. The President shall appoint the members of the Negotiating Teams with the approval of the Board of Directors. The President shall represent TEA before the public either personally or through designees and shall perform all other functions usually attributed to this office.

Section 3. Vice President

The Vice President of TEA shall perform the functions usually attributed to the office. In case of the absence or incapacity of the President, the Vice President shall act as the executive officer of TEA.

Section 4. Secretary-Treasurer

The Secretary-Treasurer shall keep minutes of all meetings of the Board of Directors and the Representative Assembly, and shall keep a file of all official actions taken by the Board of Directors. In the case of the absence or incapacity of the President and the Vice President, the Secretary-Treasurer shall act as the Executive Officer of TEA.

Section 5. Terms and Succession of Officers

- A. The oath of office shall be administered at the Representative Assembly meeting in May of each year and the Board of Directors shall assume responsibilities the day after the end of the regular school year.
- B. The office of President shall be a two year term. No individual shall be permitted to run for two consecutive two year terms.
- C. The office of Vice President shall be a two year term. No individual shall be permitted to run for two consecutive two year terms. The Vice President shall assume the office of President should the President be unable to complete the term.
- D. The office of Secretary-Treasurer shall be a two year term. No individual shall be permitted to run for two consecutive two year terms.
- E. The offices of President, Vice President and Secretary-Treasurer shall be concurrent two-year terms. Terms shall begin in May of odd-numbered years. Refer to Article VII for election procedures.
- F. Whenever the office of Vice President and/or Secretary-Treasurer become vacant between elections, the remaining members of the Board of Directors shall choose from their number a person(s) to serve in the vacant position(s) until the vacancy can be filled by a special election called by the President.

Article V TEA Board of Directors

Section 1. Composition

The Board of Directors shall consist of the officers of TEA, Area Directors, TEA's AEA Regional Directors, TEA Directors At-Large and Ex-Officio Board members.

Section 2. Quorum

A majority of the voting members of the Board of Directors shall constitute a quorum for the Board of Directors meetings.

Section 3. Fiscal Year

The fiscal year of TEA shall commence on August 1 of each year unless otherwise determined by the Board of Directors.

Section 4. Board of Directors

- A. The Board of Directors shall meet as designated in TEA Policy and shall have the power to call general membership meetings as designated in TEA Policy.
- B. Association members may attend the Board of Directors meetings without power of voting. Non-members may not attend unless expressly invited by the President.

Section 5. Powers

The powers and responsibilities of the Board of Directors shall be as follows:

- A. Have complete authority and shall be responsible for the administration and management of TEA.
- B. Carry out policies established by the Representative Assembly and suggest policies for consideration of the Representative Assembly.
- C. Approve all expenditures, administer the budget, approve the proposed budget and any budget revisions for presentation to the Representative Assembly and have the power to delegate authority in the exercise of such functions.
- D. Approve the President's appointments to the Negotiation Teams.
- E. Have authority to employ a staff and delegate authority to them.
- F. Establish and realign governance areas.

Section 6. Area Directors

- A. Shall represent their respective governance areas at Association meetings and functions including all meetings of the Board of Directors and Representative Assembly;
- B. Shall maintain contact with members in their respective areas principally through the Association Representatives to keep them informed of the activities of TEA, and to coordinate their activities, advise and assist Association Representatives in the performance of their duties and communicate to the Board of Directors area concerns;
- C. Shall chair the meetings of the Association Representatives in their respective areas.
- D. Area Directors shall serve for a term of two years and may be re-elected without an intervening term. When elected, area directors must work at a site within their respective areas. However, if an area director should transfer to a worksite in another area during the course of his/her term, he/she shall have the right to complete that term.
- E. In the event of an Area Director vacancy, notices of the vacancy shall be sent to all members in the area at least ten working days prior to the election. The Association Representatives of that area shall nominate and elect a new Area Director at the next regular Representative Assembly.

In the event no one in the vacated area is interested in the Area Director position, then this position shall be advertised to the general membership at least ten working days prior to that election. The Association Representatives of that area shall then elect an Area Director from the candidates available.

The candidate receiving the greatest number of votes shall be declared the winner. The individual elected shall complete the unexpired term.

- F. Whenever a new area is established, a special election of all members within the new area shall be called by the Board of Directors for the purpose of electing an Area Director in the new area.

Section 7. AEA Regional Directors

TEA's AEA Regional Directors shall represent TEA on the AEA Board of Directors. They shall be elected according to AEA Bylaws.

Section 8. At-Large Directors

- A. At the conclusion of the AEA Delegate Assembly, the number of At-Large Directors will be determined for the following year. Elections for At-Large Directors will be held according to guidelines stated in TEA Policy.

- B. Education Support Representation
If the percentage of Education Support Professionals of the Board of Directors shall be less than the percentage of active-education support professionals members of the membership of TEA, the membership shall elect additional members-at-large of the Board as needed to insure that representation. Members so elected shall serve for one (1) year and may be re-elected without an intervening term.

- C. Ethnic Minority Representation
If the percentage of ethnic minority members of the Board of Directors shall be less than the percentage of active ethnic minority members of the membership of TEA, the membership shall elect additional members-at-large of the Board as needed to insure that representation. Members so elected shall serve for one (1) year and may be re-elected without an intervening term.

Section 9. Ex-Officio Board of Director Members

All TEA members who are elected members of the AEA or NEA Board of Directors, other than AEA Regional Directors, and all dues-paying TEA Past Presidents, who are members for whom TEA bargains, shall sit on the TEA Board of Directors as ex-officio members. They shall retain all privileges of a Board of Directors member except the right to vote.

Section 10. Negotiating Teams

- A. The President shall appoint the members of the negotiations teams with approval of the Board of Directors. The negotiations teams shall serve until new teams are approved. Negotiations team members may only be removed, for cause, by the President, with the approval of the Board of Directors.
- B. Any mid-contract bargaining that might result in a change in the contract(s) shall be conducted by the team who negotiated that contract. If vacancies occur, the President shall have the authority, with approval of the Board of Directors, to appoint new members to the team.
- C. Any proposed changes in the contracts shall be submitted to the Board of Directors for recommendation to the Representative Assembly. The Representative Assembly shall then make a recommendation to the general membership.
- D. Ratification of tentative agreements shall be by a simple majority of those members voting. Ratification voting procedures are defined in TEA Policy.

Section 11. Committees/Appointive Units

A. Standing Committees

1. The Board of Directors shall establish such standing committees as are required to conduct the program of TEA. Standing committees shall include, but not be limited to: Budget/Audit Committee and Scholarship Committee.
 - a. Budget/Audit Committee shall prepare and recommend a balanced budget to the Board of Directors.
 - b. Scholarship Committee shall provide financial assistance to worthy candidates wishing to pursue a career in education.
2. Chairpersons shall be appointed by the President.

B. Task Forces

1. The Board of Directors shall establish such groups as it deems necessary to handle special assignments for TEA.
2. The structure, membership and the length of terms shall be determined by the Board of Directors.

C. AdHoc Committees

1. The President shall appoint AdHoc committees and chairpersons as deemed necessary to handle special temporary assignments important to the welfare of TEA. The term of these committees shall not exceed the term of the President.
3. An AdHoc committee shall be appointed as necessary, but at least every fourth (4th) year, to review the Bylaws and the Policies of TEA.
4. Such committees shall be responsible to the President.

D. Reports

Chairpersons of appointive groups shall make written reports as stated in TEA Policy.

E. Appointive Units

1. Each appointive unit will meet according to a calendar developed by that unit.
2. Each appointive unit shall hold special meetings at the call of its chair.
3. The chair of each appointive unit shall notify the TEA receptionist as to the place, time and date of all meetings.

Article VI Representative Assembly

Section 1. Representative Assembly Meetings

- A. The Representative Assembly shall meet monthly during the months of September through May, as designated in TEA Policy. Special meetings of the Representative Assembly may be held at the call of the President, with sufficient notification to all Association Representatives and the Board of Directors, or upon written request of fifty (50) Association Representatives.
- B. Votes in the Representative Assembly shall be based on one vote for each authorized Assembly member. The authorized assembly members shall include Association Officers, Area Directors, Association Representatives, AEA Regional Directors, ex-officio members of the TEA Board of Directors and TEA At-Large Directors.
- C. Association members may attend Representative Assembly meetings without power of voting. Non-members may not attend unless expressly invited by the President.

Section 2. Number

- A. Each school and/or other site shall be represented by at least one elected representative. Schools and/or sites with more than twenty members shall be allowed an additional representative for each additional twenty members, or fraction thereof. In schools and/or sites having more than one representative, a building chairperson shall be selected. Should membership change, the number of Association Representatives shall be adjusted.
- B. The representation shall include ethnic minority membership of the local association, at least proportionate to the ethnic minority membership of the local association, whenever possible.
- C. The representation shall include Education Support Professionals membership of the local association at least proportionate to the Education Support Professionals membership of the local association, whenever possible.
- D. By April 30 of each year, the active members of each site shall hold a meeting to elect their respective Association Representatives and alternates to represent that site for the next school year. After holding the meeting, they shall report the results to the TEA office. The newly elected ARs and alternates shall assume the responsibilities of the positions beginning August 1 of each year.

- E. Each Association Representative and Alternate shall be elected to serve as a member of the Representative Assembly for a term of one school year or until transferred from their site or removed from office. If an AR position is left vacant during the term of office for any reason, an alternate will fill the position of AR for the rest of the term.

Section 3. Qualifications

Association Representatives must be current members of TEA.

Section 4. Duties

- A. The Association Representatives shall attend all meetings of the Representative Assembly. If an Association Representative, for due cause, cannot attend a Representative Assembly, the alternate shall be sent as the Representative.
- B. The Association Representative shall communicate with members in the respective site concerning activities of TEA.
- C. The Association Representatives shall be responsible for holding elections in each site. Membership campaigns shall be conducted by the Association Representatives and alternates.

Section 5. Quorum

The Association Representatives present at the Representative Assembly meeting shall constitute a quorum.

**Article VII
Nominations, Elections and Recall**

Section 1. Nominations

- A. The active members of TEA during the month of November shall nominate a candidate for President, Vice President, Secretary-Treasurer and Area Directors. Nominations shall be sent to the Elections Committee during the years vacancies exist.
- B. Each nominee shall sign a pledge-to-serve form.
- C. Each nominee shall be a member of TEA.
- D. Each Area Director shall be a member of and nominated by the area of TEA in which they serve; and shall be elected by the membership of that area. Refer to Article V, Section 5, for exceptions.

- E. The Elections Committee shall announce the names of nominees who have submitted Pledge-to-Serve forms to the Representative Assembly at its regular December meeting.
- F. Final nominations shall be made from the floor during the regular January meeting of the Assembly by active members of TEA. Nominations made from the floor of the Representative Assembly shall be accompanied by a Pledge-to-Serve form signed by the member being nominated.
- G. The Elections Committee shall prepare brief information on each candidate for publication to all members on or before February 1 of each year.
- H. No TEA funds shall be used for campaigns.
- I. All campaigns shall be conducted according to Association Policy.

Section 2. Election Procedures

Elections shall be conducted in accordance with the following:

- A. All official elections shall be by secret, written ballot.
- B. Any Officer, Area Director, At-Large Director, Association Representative or Delegate receiving the greatest number of votes shall be declared the winner.
- C. In the event the number of candidates for the officers and/or at large candidates is equal to the number of offices to be elected, such candidates shall be declared elected to their respective office.
- D. Elections shall be held on a day to be announced by the Board of Directors. Such announcements shall be published at least ten days prior to the election.
- E. The Board of Directors is authorized to divide the number of Area Directors as nearly as possible into two equal groups and to provide for election of one group during odd years and the other group during even years.
- F. The Elections Committee shall be responsible for the preparation of standard forms for use in elections and shall submit rules for conducting elections for adoption by the Board of Directors.

Section 3. Delegates to AEA and NEA Representative Assemblies

The Elections Committee shall be responsible for the nominations and election of delegates to the state assembly and national assembly, according to the Constitution and Bylaws of the Arizona Education Association and the National Education Association.

Section 4. Recall

- A. Any elected TEA Board member, including any officer, who is formally charged in writing with a specific case of malfeasance or nonfeasance of duty shall be subject to an investigation:
 - 1. When a petition has been signed by ten percent of the qualified voters and presented to the Board of Directors or
 - 2. Upon recommendation of a two-thirds (2/3) majority of the entire voting membership of the Board of Directors.
The Board of Directors shall afford the individual subject to investigation an opportunity to respond to the written charges. After conducting an investigation to determine the authenticity of the charges, the Board may, upon a two-thirds (2/3) majority of its voting membership, conduct a ballot recall.
- B. The recall ballot shall be prepared by the Elections Committee and all qualified voters shall be given the opportunity to vote. A majority of those voting in favor of the recall shall result in the elected Board member's removal from office. Provisions for counting the ballots, certifying, announcing, recording and carrying out the results shall be made by the Elections Committee.
- C. When the Elections Committee counts the ballots, the person subject to the recall vote or his/her designee, may be present.
- D. The Elections Committee shall submit the results of the recall election to the Board of Directors. A designee of the Board shall notify the individual subject to the recall of the results and the results shall be printed in the TEA Newsletter. If the outcome of the vote results in the recall of the Board member, the vacancy shall be filled according to the provisions stated in this Constitution/By-Laws and TEA Policy. The person recalled and any TEA member who qualifies for the position may become a candidate to fill any vacancy that results from this process.

Article VIII Auxiliary Organizations

Section 1. TEAPAC

- A. The Tucson Education Association Political Action Committee (TEAPAC) shall be a special standing committee that shall solicit funds separate from Tucson Education Association membership dues to promote the election of pro-education candidates.
- B. Tucson Education Association Political Action Committee contributors shall establish the Bylaws that govern TEAPAC.
- C. The steering committee shall be elected by the contributorship.

Section 2. TEA Foundation

The Tucson Education Association Foundation shall be a non-profit corporation with its own By-Laws and Board of Governors. The Board of Governors shall be determined by the Constitution/By-Laws of the Foundation, as approved by the TEA Board of Directors.

Article IX Parliamentary Procedure

Robert's Rules of Order, newly revised, shall be the parliamentary authority for TEA and all questions not covered by the Constitution and Bylaws.

Article X Amendments to the Constitution/Bylaws

Section 1. Amendments to the Constitution/Bylaws shall be proposed by:

- A. The Board of Directors, or
- B. Members who submit an amendment along with a petition signed by ten percent of the membership to the President. The President shall then place the submitted amendment(s) on the agenda of the next Board of Directors meeting.

Section 2. The Board of Directors shall study all proposed Constitution/Bylaw amendment(s). The Board of Directors shall then make a recommendation and forward the proposed amendment(s) to the Representative Assembly for ratification. All proposed amendments must be in writing and submitted to the Association Representatives at least fourteen (14) calendar days prior to the meeting at which the Association Representatives will vote on said amendment(s).

Section 3. Voting

- A. Association Representatives shall vote on proposed amendment(s) at the Representative Assembly meeting.
- B. The Constitution/Bylaws shall be amended by a 2/3 majority of Association Representatives voting.