

EDUCATION AUSTIN
CONSTITUTION AND BYLAWS

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ARTICLE I
(Name, Affiliation and Headquarters):

Section 1:

The name of this organization shall be EDUCATION AUSTIN (formerly the Austin Association of Teachers and the Austin Federation of Teachers/Allied Education Workers).

Section 2:

a) This organization shall be affiliated with the National Education Association (NEA), the American Federation of Teachers (AFT), the Texas Federation of Teachers (TFT), the Texas State Teachers Association (TSTA), the Texas AFL-CIO and the Austin AFL-CIO Labor Council.

b) EDUCATION AUSTIN shall comply with all applicable provisions in the constitutions of those national and state organizations. Delegates from the membership shall be elected to attend various state and national assemblies or conventions according to the policies of the applicable organizations.

Section 3:

The headquarters of EDUCATION AUSTIN shall be located in Austin, Texas.

ARTICLE II
(Purposes):

Section 1:

The purpose of Education Austin shall be to promote the progress of education in Austin. Such purposes may include but not be limited to:

- a) the educational welfare of the students
- b) support of professional development for educational employees
- c) protect the professional rights and responsibilities of educational employees
- d) developing and implementing educational policies and practices at the local, state and national level
- e) the development of a healthy educational climate and a positive image of education throughout the community
- f) provide a voice for the individual educator through professional unity

Section 2:

To work for the achievement of collective bargaining for education workers, by legal and democratic means, to be culminated in a formal written contract of employment for all educational employees.

1) One of the EVP's shall serve as the EVP-Classified. This EVP must be a classified member of EDUCATION AUSTIN, and shall be nominated by the classified staff and elected by the entire membership. The EVP-Classified shall focus primarily on serving that portion of the membership and insuring that the needs of classified members are addressed in the day-to-day operations of the organization. The EVP-Classified may also serve as a spokesperson for the membership on issues affecting the classified staff.

2) The other EVP shall serve as the EVP-Certified. This EVP must be a certified member of EDUCATION AUSTIN, and shall be nominated by the certified staff and elected by the entire membership. The EVP-Certified shall focus primarily on serving that portion of the membership and insuring that the needs of certified members are addressed in the day-to-day operations of the organization. The EVP-Certified may also serve as a spokesperson for the membership on issues affecting the certified staff.

e) **Treasurer:**

The treasurer shall assist the president and EVPS's in managing the finances of EDUCATION AUSTIN. Specifically, the treasurer shall be responsible for overseeing the bookkeeper for the organization, maintaining financial records, reporting the organization's financial status to the ELT and officers and the Executive Board on a regular basis and recommending and monitoring the budget of the organization.

h) **Recording Secretary:**

The recording secretary shall serve the Executive Board by sending out notices of all regular and special meetings, keeping the records of the meetings, and handling all correspondence resulting from the actions of the Executive Board.

Section 2 (Executive Board):

a) The Executive Board shall serve as the ultimate policy-making body for EDUCATION AUSTIN. Its chief responsibilities are to provide a long-range, strategic plan for the organization, approve the annual budget and changes thereto, and ensure that a representative body is included in all policy and governance decisions of the elected officers.

b) The Executive Board shall be composed of 15 persons, exclusive of the officers. Of that number, no less than five (5) seats on the Board shall be reserved for representatives of the classified council, and no less than five (5) seats shall be reserved for representatives of the certified council. Any member may fill the remaining seats. The elected officers shall be members of the Executive Board.

c) In order to ensure that the Executive Board represents the diversity of the membership, following each election, the Executive Board shall assess how closely its make-up reflects the racial and ethnic diversity of the membership. The Executive Board may then direct the president to appoint additional members to the Executive Board to bring it into balance with the membership. These members appointed for the purpose of achieving racial and ethnic diversity shall serve for a two-year term, unless reappointed by the president at the direction of the Board.

Section 3:

To encourage the hiring and retention of competent educational employees and the maintenance of modern, well equipped schools.

Section 4:

To fight all forms of discrimination based on race, creed, gender, social or economic status, national origin, sexual orientation, disability or political beliefs.

**ARTICLE III
(Membership):**

Section 1 (Shared Beliefs, Values and Goals):

We believe that every educational employee plays a vital role in creating the learning environment, which allows students to achieve at their highest potential. We believe that though the roles and areas of expertise differ, each educational employee's role and contribution deserves recognition and respect. We share the goal that all educational employees are compensated fairly and equitably for their work in AISD, The following membership provisions are designed to further these beliefs and goals.

Section 2 (Membership Eligibility):

The following are eligible to become members of EDUCATION AUSTIN:

- 1) All current members of the Austin Association of Teachers and the Austin Federation of Teachers/Allied Education Workers.
- 2) Any employee of AISD who is not an administrator, i.e., one who has the power to hire or fire another AISD employee.
- 3) Any member of EDUCATION AUSTIN who has retired or will retire from AISD.
- 4) Any member of EDUCATION AUSTIN who resigns from AISD to hold elected office in EDUCATION AUSTIN.
- 5) Any former employee of AISD whose work is contracted out by AISD.

Section 3 (Membership Rights):

All members of Education Austin will have full membership rights, except as limited in Article IV of this constitution. Staff who choose to maintain their membership shall not be eligible to hold any elected office.

Section 4 (Non-Discrimination):

No discrimination shall ever be shown toward individual members or applicants for membership based on race, creed, gender, social or economic status, national origin, sexual orientation, disability, or political beliefs.

Section 5 (Failure to Pay Dues):

Any member who fails to pay dues for three months shall be dropped from the rolls and his/her name removed from the records.

ARTICLE IV
(Governance):

EDUCATION AUSTIN shall have three governing components: elected officers, an elected executive board and an elected Representative Assembly. Any dues-paying member, who is a member of EDUCATION AUSTIN for at least one-year, may serve in these elected positions.

Section 1 (Elected Officers):

a) There shall be five (5) elected officers in EDUCATION AUSTIN who shall each serve for a two year term:

- a) President
- b) Executive Vice-President for Classified Employees
- c) Executive Vice-President for Certified Employees
- d) Treasurer
- e) Recording Secretary

b) Three officers, the president and both executive vice-presidents shall have paid full-time positions in EDUCATION AUSTIN, including release time from the district. The officers will be responsible for the day-to-day operation of EDUCATION AUSTIN. They will work closely with the local, state, and national staff to implement the long-range, strategic plan for the organization, as established by the executive board.

c) **President:**

The president shall be the public face and spokesperson for EDUCATION AUSTIN. The president shall be responsible for, in conjunction with the other officers, recommending policy choices to the Executive Board, overseeing the consultation process, directing the activities of the local staff, and building and maintaining relationships (including lobbying as necessary) with the AISD School Board and the central administration, the local and state elected officials, the state and national affiliate organizations, and others such as the Executive Board shall direct.

d) **Executive Vice Presidents (EVP):**

The EVP's shall assist the president in leading and managing EDUCATION AUSTIN. Specifically, the EVP's shall have operational responsibilities for carrying out the policy decisions of the Executive Board, leading consultation discussions with AISD, managing the budget and administrative aspects of the organization, and leading organizing initiatives.

d) The Executive Board shall designate committees that implement the policy decisions of the organization. Members of the Executive Board shall serve as chairs of various institutional committees. The standing committees are:

Budget and Audit
Legislative and Political Action
Scholarship
Consultation Committee
Insurance Committee
Membership
Grievance and Legal
Elections

e) The president with the approval of the Board may establish special Committees.

Section 3 (Representative Assembly):

a) Each building or site shall elect representative(s) to serve in the RA. The duties of the RA shall include, but not be limited to, ratification of the annual budget and consultation agreements.

b) Representatives to the RA will be elected at a ratio of one representative for every fifteen (15) members at that building site. Where a work site has both classified and certified members, the members at that site will elect a minimum of one classified and one certified representative.

c) The elected officers and members of the Executive Board shall also serve as members of the RA.

d) The president shall convene the RA at least four times during the school year.

**Article V
(Councils):**

Section 1:

In the interest of maintaining a distinct identity within EDUCATION AUSTIN for the classified and certified employees of AISD, a classified council and a certified council will be formed within the organization.

Section 2:

All members of EDUCATION AUSTIN shall automatically belong to either the classified or certified council.

Section 3:

Each council will have a general membership meeting at least once each year.

Section 4:

When an issue or interest unique to classified or certified employees arises, the respective EVP may call a special meeting of the group to seek their input, and shall bring any recommendations to the full Executive Board before a decision is made.

**Article VI
(Guarantees):**

Section 1: Elections

EDUCATION AUSTIN shall conduct elections with open nominations and secret ballot for all local officers, executive board positions, and representative assembly delegates. The affiliate organization's rules and procedures shall govern election for delegates to affiliate organizations.

Section 2: Due Process

No member of EDUCATION AUSTIN shall be censured, suspended, expelled, or removed from office without due process, which shall include an appeals procedure. The Executive Board shall develop the appeals process and shall act as the initial judges. The process should include a procedure to appeal the decision of the Executive Board to the Representative Assembly.

Section 3: Availability of Constitution

- a) A copy of this Constitution and Bylaws shall be made available, within a reasonable period of time, to any member upon request.
- b) A copy of the Constitution and Bylaws shall be sent to the parent affiliates. When changes occur, amended copies shall be sent to the parent affiliates within ninety (90) days.

Section 4: Quorums

- a) A quorum of the Executive Board is fifty (50) percent of the eligible members of the body.
- b) A quorum of the Representative Assembly is thirty (30) percent of the eligible members of the body.

**Article VII
(Amendments):**

Section 1: Proposals

An amendment to this Constitution may be proposed by a majority of the Executive Board, a majority of the Representative Assembly, or a ten (10) percent petition of the

membership, or by a duly appointed constitutional committee appointed by the President and approved by the Executive Board.

Section 2: Representative Assembly

Notice of any proposed amendments shall be sent to the delegates of the Representative Assembly at least ten (10) days prior to a regular or special Representative Assembly. Proposed amendments to the Constitution shall be approved by a majority vote of the members present and voting at a regular or special meeting of the Representative Assembly.

Section 3: Ratification

Proposed amendments to the Constitution, as approved by the Representative Assembly, shall be submitted to the general membership for ratification. Two-thirds of the membership voting in favor of ratification shall be required for their adoption.

Section 4: Disaffiliation

A vote to disaffiliate from any of the parent affiliates is governed by the NEA-AFT Agreement on Dual National Local Affiliates.

BYLAWS

Article I (Dues):

Section 1:

- a) Education Austin will operate under the guidelines of the Dual Local National Affiliate Agreement between AFT and NEA.
- b) Local dues shall be established by the Executive Board of Education Austin each spring for the following membership year. Increases to parent dues shall be passed onto the membership in addition to any local dues increase.

Article II (Elections and Voting):

Section I (Officers):

Election of officers shall be held in May of even numbered years. The election of officers will be by secret mail ballot of the entire membership of the organization.

Section II (Executive Board):

The election of the EDUCATION AUSTIN Executive Board will occur in May of even numbered years and held in conjunction with the officer elections. The election of Executive Board members will be by secret ballot of the entire membership.

Section III (Representative Assembly):

The election of the EDUCATION AUSTIN Representative Assembly delegates will take place in May of even numbered years. Elections shall take place in the schools. The EDUCATION AUSTIN Executive Board shall set up procedures for schools to follow in electing their delegates to the RA.

Section IV (Voting):

Elections of officers and executive board members shall be held under the guidelines for electing local union officers by mail as published by the Department of Labor Management Standards.

Article III

(Duties of Officers and Executive Board):

Section 1: President

The responsibilities of the President shall include:

- a) presiding at meetings of Education Austin;
- b) being the official spokesperson and representative of Education Austin;
- c) appointing all standing committees and committee chairs with the approval of the executive board of Education Austin;
- d) making recommendations to committees and coordinating their activities;
- e) serving as ex-officio member of all committees of Education Austin;
- f) making recommendations to the Executive Board and Representative Assembly;
- g) making periodic and annual reports and recommendations on the activities of Education Austin to the membership;
- h) appoint the parliamentarian;
- i) signing all legal instruments concerned with the business and professional activities of Education Austin; and
- j) counter-signing all expenditures of monies drawn against Education Austin.
- k) Providing written reports monthly of president activities to the Executive Board

Section 2: Executive Vice-Presidents

- a) Each EVP shall carry out all the activities of president, as assigned by the president, in the absence of that officer.
- b) If, for any reason, the president is precluded from performing his duties, the EVP for Certified Members and the EVP for Classified Members shall execute the duties of the president as co-presidents for the remainder of the unexpired term of office or for the period as determined by the Executive Board.
- c) Each EVP shall represent his council as chairperson of that council.
- d) Counter-signing all expenditures of monies drawn against Education Austin.
- e) Providing written reports monthly of EVP activities to the Executive Board.

Section 3: Recording Secretary

The responsibilities of the Recording Secretary shall include:

- a) keeping complete and permanent records of meetings of the Executive Board and the Representative Assembly and filing these reports within five days of the meeting;
- b) keeping records of committee reports; and
- c) maintaining at the Education Austin office a current list of the members of Education Austin, the Representative Assembly, the Executive Board, and committees.

Section 4: Treasurer

The responsibilities of the Treasurer shall include:

- a) keeping accurate, complete and permanent records for Education Austin receipts and disbursements;
- b) presenting reports to the Executive Board and Representative Assembly;
- c) serving as chairperson of the Budget and Audit Committee; and
- d) serving as financial advisor in the awarding of scholarships.

Section 5: Executive Board

The responsibilities of the Executive Board members shall include:

- a) serving as chairs to standing committees as assigned by the president;
- b) assisting in the recruitment and retention of membership;
- c) working with EA Representatives as assigned by the president;
- d) receiving all reports of the president and committees;
- e) recommending and implementing policy of Education Austin; and
- f) recommending and approving an annual budget for Education Austin.

Article IV (Elections and Vacancies)

Section 1: Elections

Officers and Executive Board members shall be elected in May by a majority of the members voting. Any candidate that files for an Education Austin Office and is unopposed shall be declared duly elected.

Section 2: Term of Office

- a) Officers shall serve a term of office for two years beginning June 1 and ending May 31, or until their successors are qualified.
- b) Members of the Executive Board and Members of the Representative Assembly will be elected to terms of two years, and serve without limitation as to the number of terms to which they may be elected.

Section 3: Vacancies

- a) If the office of President is vacated, the EVP for Certified Members and the EVP for Classified Members shall succeed to the office as co-presidents and serve the

remainder of the term. If the President is unable, as determined by the Executive Board, to perform the duties of the office, the EVP for Certified Members and the EVP for Classified Members shall assume the office of President.

- b) If an office is vacated, the Executive Board may call a special election by the Representative Assembly not less than 30 days and no more than 60 days following the vacancy, and the membership shall elect a person to fill the remainder of the term.

Article V (Duties of Representative Assembly)

Section 1: Elections

Each campus/work site shall elect its Education Austin Representative and alternates in May of every even numbered year in accordance with election guidelines as approved by the Executive Board.

Section 2: Representation

Each Campus/work site shall be entitled to elect one Education Austin Representative and one alternate for each fifteen (15) members or major fraction thereof. Where a work site has both classified and certified members, the members at that site will elect a minimum of one classified and one certified representative. Representation shall be adjusted as necessary each November 1. If there is a vacancy for the representative for any campus/work site, the President may appoint a temporary representative until an election can be held.

Section 3: Responsibilities

The responsibilities of the Education Austin Representative and alternates shall include:

- a) attending the meetings of the Representative Assembly;
- b) conducting elections for Education Austin;
- c) communicating notices and information from Education Austin to the members;
- d) holding EA meetings of their campuses/work sites
- e) promoting membership in Education Austin and assisting in the membership drives of Education Austin under the direction of the officers and executive boards;
- f) assisting members with grievances;
- g) transmitting records to EA;
- h) conducting any other EA business as requested by EA; and
- i) taking part in EA training.

Section 4: Non-Attendance

- a) Whenever a representative, or alternate, shall have three (3) or more absences from scheduled Representative Assembly meetings, that person shall be considered subject to removal from office for nonperformance in a manner not inconsistent with Article VI, Section 2, of this Constitution.

- b) Further, when any representative is removed from office the replacement shall be the next-in-line alternate. Should no alternate be available, then, the President shall appoint a representative until an election can be called.

Article VI
(Standing Committees):

Section 1: Budget and Audit Committee

This committee shall recommend sound fiscal practices and policies for Education Austin. The responsibilities of the Budget and Audit committee shall include:

- a) receiving budgetary proposals from Standing Committees, EA Staff, officers, and executive board;
- b) recommending for approval to the executive board a budget;
- c) recommending a membership dues structure to executive board;
- d) advising the treasurer and bookkeeper; and
- e) advising the Executive board on all fiscal matters.

Section 2: Legislative and Political Education

This committee shall promote Education Austin's welfare in elections and legislative matters. The responsibilities of the Legislative and Political Education committee shall include:

- a) reviewing legislative programs and political education objectives;
- b) making recommendations to the governing bodies of federal, state, and local legislative issues; and
- c) coordinating political education and volunteer activities.

Section 3: Scholarship

This committee shall manage the Scholarship funds (the Minnie G. Dill Scholarships, the Laura L. Allison Scholarship, the Robert E. Teel Scholarship, the Tony Cortes-Lugo Scholarship, The Texas AFL-CIO Scholarship and any other scholarship funds established under its jurisdiction of Education Austin. The responsibilities include:

- a) planning and publicizing EA scholarship programs, awards procedures, and awards recipients;
- b) selecting the recipients of this Association's scholarship; making recommendations relative to establishing and abolishing scholarships;
- c) recommending investment and management of scholarship funds; and
- d) working with other scholarship committees when appropriate.

Section 4: Professional Consultation

This committee shall be composed of the Education Austin Executive Board. This committee shall represent Education Austin in professional consultation with the Administration and the Board of Trustees of the AISD. The responsibilities of the Professional Consultation Committee shall include:

- a) preparing and presenting the consultation items to the Representative Assembly prior to the presentation to the Board of Trustees or the Administration;
- b) select five committee members to meet with the AISD consultation team;

- c) hold quarterly meetings with AISD district employees.

Section 5: Classified Consultation

This committee shall be composed of the Education Austin Executive Board. This committee shall represent Education Austin in classified consultation with the Administration and the Board of Trustees of the AISD. The responsibilities of the Classified Consultation Committee shall include:

- a) preparing and presenting the consultation items to the Representative Assembly prior to the presentation to the Board of Trustees or the Administration;
- b) select five committee members to meet with the AISD consultation team;
- c) hold quarterly meetings with AISD district employees.

Section 6: Insurance Committee

This committee shall consider the insurance program available to AISD employees. Members of this committee shall serve as EA's representatives on the AISD Joint Insurance Committee. The responsibilities of the Joint Insurance Committee's shall include:

- a) recommending changes in the Joint Insurance Committee's standing rules;
- b) making regular reports of the Joint Insurance Committee's actions to the Representative Assembly and Executive Board; and
- c) making surveys to determine members' insurance needs.

Section 7: Membership

The membership committee shall promote the continuous growth of Education Austin. The responsibilities of the membership committee shall include:

- a) planning and initiating the Annual membership campaign;
- b) training EA Representatives and alternates in their responsibilities as related to membership;
- c) maintaining a current membership list on file in the EA office; and
- d) work with EA staff to enhance organization activities and increase membership.

Section 8: Grievance and Legal

This committee shall promote defense of professional rights, understanding, communication, and unity among members. The responsibilities shall include:

- a) monitoring teacher-administrator relations;
- b) reviewing job performance data;
- c) assisting members in contractual difficulties;
- d) protecting due process rights;
- e) assisting members with grievances;
- f) reviewing and assessing district policies; and
- g) identifying, recognizing and informing members about outstanding human relations programs.

Section 8: Elections

This committee shall conduct the elections of Education Austin in accordance with this constitution and Bylaws and any election rules approved by the Executive Board. Its responsibilities shall include:

- a) recommending Standing Rules to the Representative Assembly which shall include filing procedures, election dates, notification of election dates, arrangements of ballot, announcement of election results;
- b) reproducing and distributing ballots and election materials; and
- c) tallying and certifying election results.

Article VII (Miscellaneous Provisions)

Section 1: Parliamentary Authority

The most recent edition of Robert's Rules of Order shall be the parliamentary authority for Education Austin on matters not provided for in the Constitution, Bylaws or Standing Rules.

Article VIII (Amendments)

Section 1:

An amendment to the Bylaws may be proposed by a majority of the Executive Board, a majority of the Representative Assembly, or a five (5) percent petition of the membership, or by a duly appointed Bylaws committees appointed by the President and approved by the Executive Board.

Section 2:

Notice of any proposed bylaws shall be sent to the delegates of the Representative Assembly at least ten (10) days prior to a regular or special RA.

Section 3:

Upon approval of a majority vote of the RA delegates present, the bylaw(s) is passed.

