

**Phoenix Elementary Classroom Teachers Association**

**Constitution and Bylaws**

Article I: Name

The name of this association shall be the Phoenix Elementary Classroom Teachers Association, hereafter referred to as the Association.

Article II: Affiliation

The Association shall affiliate with the National Education Association under its rules, and the Arizona Education Association under its rules.

Article III: Purposes

Section 1 - To work for the welfare of teachers and children, the advancement of education, and 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 and participation as mark a profession.

Section 3 - To develop and promote a continuing program to improve salaries, fringe benefits, working conditions, and instruction through all possible means including negotiations with the Board of Trustees.

Section 4 - To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the community, Board of Trustees, and other agencies.

Section 5 - To hold property and funds and to employ such staff as needed to the attainment of these purposes.

Section 6 - To promote and protect human and civil rights.

Section 7 - Nothing in this Constitution or in the Bylaws shall be construed to prevent the Association from pursuing objectives which are consistent with the stated goals of the United Teaching Profession.

Article IV: Membership

Section 1: The membership year shall be consistent with the membership year of the Arizona and National Education Associations.

Section 2: Membership shall consist of: active, associate, honorary, and special members.

A. Active

1. Active membership in the Association shall be open to all certified and professional personnel employed by the Phoenix Elementary School District #1. This will include: teachers, nurses, librarians, speech clinicians, social workers, psychologists, resource teachers, and implementors.
2. Active members shall adhere to the Code of Ethics of the Education Profession.

3. Active members of the Association shall also be members of the Arizona Education Association and the National Education Association.
4. Active membership shall be continuous until the member leaves the school system, resigns the Association, or fails to pay membership dues.

**B. Other**

Associate members may not vote, hold office, or represent the Association. Associate membership is open to any employee who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Association.

- C. Active members who retire with five consecutive years of membership immediately preceding their retirement shall be honorary Members for life.
- D. Staff members of the United Teaching Profession will be special members. They will have the right to represent PECTA with approval of the Governing Council and at the direction of the Executive Committee and/or President.

**Section 3 - Dues**

- A. Active - Active dues of the Association will be recommended by the Governing Council and voted on by members.
- B. Other - Associate members shall pay full PECTA dues. Dues are waived for honorary and special members.

**Section 4 - 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 the Association; to attend membership meetings; to participate in the deliberations and voting upon the business of such meetings.
- B. 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 representative council.

**Section 5 - Minority Representative**

The Association will make every effort to identify, recruit, and train minorities for leadership roles.

The nominations committee will seek minority leaders to run for offices and delegate status.

If the AEA elected delegates do not reflect proportionate ethnic-minority representation of the membership, a minority alternate will be chosen to replace an elected non-minority delegate with the least number of votes. The minority delegate shall be replaced by a minority alternate.

**Section 6 - Censure or Recall**

Gross negligence of duty shall be considered cause for censure and/or recall of all members of the governing council. When a member of the Association becomes aware of a gross negligence of duty, he/she shall notify the members in the building. Depending upon the circumstances, appropriate action shall be taken.

## Article V: Officers

**Section 1 - Officers of the Association shall be the President, President-Elect, Secretary, Treasurer, the immediate Past President, and four (4) members-at-large.**

### **Section 2 - Eligibility**

**Officers shall have been employed in the district at least one year prior to holding office. In addition, officers shall have been an Active member of PECTA at least one year prior to running for office.**

### **Section 3 - Recall**

**Officers of the Association shall serve their terms as long as they perform the duties of their office to the satisfaction of the membership, subject only to recall.**

- A. Recommendation for recall can be made by the submission of a petition containing the signatures of 75% of the membership to the executive committee.**
- B. The executive committee shall notify in writing any officer who has been recommended for recall.**
- C. Any officer may appeal in writing to the executive committee.**
- D. The executive committee shall schedule hearings to review the recommendations of recall of an officer.**
- E. The report of those hearings shall be made available to the membership.**
- F. A general membership meeting shall be called two weeks after the issuance of the report.**
- G. Such recall shall be determined by a majority vote of the membership in attendance at said meeting.**

**Section 4 - Nothing in this article shall be construed as precluding officers from succeeding themselves in office, if duly elected.**

**Section 5 - In the event of vacancy in the office of the President; President-elect shall become President and serve until the next annual election.**

### **Section 6 - Terms and Succession**

- A. The officers shall be elected for one year and may succeed themselves.**
- B. Whenever the offices of the President, President-Elect, Secretary, or Treasurer shall become vacant, ~~between election, the Governing Council shall choose one of the members to serve the vacant position until the next regular election~~ a special election will be called to fill the vacant position.**
- C. The members-at-large shall serve alternately for a two-year term. If a vacancy should occur within the two-year term, ~~the governing council shall elect one of its members to serve until the next regular election~~ a special election will be called to fill the vacant position.**

**Section 7 - The Association shall guarantee ethnic minority representation on the executive committee at least proportionate to its active ethnic minority membership.**

Article VI: Governing Council

**Section 1 - Definition**

The Executive Board and Association Representatives of the Association, acting upon instruction from the membership, shall be the Governing Council.

**Section 2 - Membership**

- A. The Executive Committee shall consist of the officers and members-at-large. It shall be the executive authority of the Association.
- B. The Association Representatives.
- C. Chairpersons of the Standing Committees shall serve as ex-officio members without voting privileges.

**Section 3 - Employment of Staff**

Upon recommendation and approval of the Governing Council and within the annual budget, the Executive Committee shall have power to employ staff for the efficient management of the Association.

**Section 4 - Recall or Impeachment**

Whenever a majority of the Executive Committee shall agree that one of its members has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend to the Governing Council that the office be declared vacant. If the Governing Council so votes by a two-thirds majority, it shall immediately elect a replacement to fill the unexpired term.

Article VII: Sections

**Section 1 - Organization**

With the approval of the Governing Council under the policies adopted by that body, mainliners may organize Sections to consider specific instructional interests that are not an appropriate concern for the total membership of the Association.

**Section 2 - Membership**

Membership in the Association shall be prerequisite for membership in Sections.

Article VIII: Amendments

This constitution may be amended by a two-thirds (2/3) majority of the total votes cast provided that amendments have been introduced at the preceding regular meeting of the Governing Council and the copies of proposed amendments have been immediately distributed to members of the Governing Council for faculty discussion.

## BYLAWS

### Article I: Meetings

#### A. - Governing Council

The Governing Council shall meet on the third Monday of each school month at 4:15 p.m. or at the call of the President.

#### B. - Special Meetings

Special meetings of the Governing Council and/or general membership meetings shall be called by the President, the Executive Committee, or upon written request to the Executive Committee from at least fifteen Association Representatives. Business to come before special meeting must be stated in the call. Business shall be confined to these items.

#### Section 1 - Executive Committee

The Executive Committee shall meet prior to the Governing Council's monthly meeting at the discretion of the President.

#### Section 2 - General Meetings

The Executive Committee shall arrange meetings of the general membership as needed.

#### Section 5 - Open Meetings

All meetings of the Associations, except Executive Committee meeting dealing with grievance, shall be open to all members. Permission to speak may be granted by the presiding officer.

#### Responsibility of Attendance

Each faculty shall be responsible for being represented at all Council meetings by their elected Representative or a duly designated and instructed alternate. All Association Representatives shall attend all regular, special, general meetings, and executive meeting workshops, and training sessions, or in an emergency, sent his/her alternate.

The alternate Representative shall have full voting privileges for that specific meeting. Failure to attend three consecutive meetings shall constitute gross negligence; refer to Article VI, Section 4, of the Constitution.

#### A. Executive Board

All officers shall attend all regular, special, general, and executive meetings. Failure to attend three consecutive meetings shall constitute gross negligence; refer to Article VI, Section 14 of the Constitution.

#### B. Association Representative

Each faculty shall be responsible for being represented at all council meetings by their elected Representative or a duly designated and instructed alternate. Association Representatives shall attend all regular, and special meetings or in an emergency, sent his/her alternate. Failure to attend three consecutive meetings shall constitute gross negligence; refer to Article VI, Section 4, of the Constitution.

Article II: Quorum

A majority of their members shall be a quorum of the Governing Council, Executive Committee, and committees.

Article III: Powers & Duties of the Officers

**Section 1 - President/NEA Delegate**

The President shall -

- a. preside over meetings of the Executive Committee, Governing Council, and general membership;
- b. appoint the chairs of all committees, appoint special committees;
- c. be *official* ex-officer member of all standing committees;
- d. represent the Association before the public either personally or through delegates, and perform all other duties of this office;
- e. appoint representative to the UniServ Council;
- f. be bonded by the Association;
- g. appoint special committees (ie. Constitution, Budget) as may be necessary and discharge them upon completion of their duties.

**Section 2 - President-Elect**

- a. work closely with the President and the standing committees;
- b. preside at meetings in the absence of the President;
- c. in the event the President is unable to perform his/her duties, the President-Elect shall function as the President;
- d. if the position becomes vacant, the President-Elect shall assume the office of the Presidency;
- e. be bonded by the Association;
- f. in the event the President-Elect become President, he/she shall assume duties of NEA/RA Delegate.

**Section 3 - Immediate Past President**

The immediate Past President shall advise the Executive Committee and shall assist the President at the latter's request.

**Section 4 - Secretary**

The Secretary shall:

- a. upon direction of the Executive Committee, shall prepare and distribute agendas for Executive Committee, Governing Council, and General Membership meetings;
- b. record and distribute minutes of Executive Committee, Governing Council, and General Membership meetings;
- c. maintain the official files, which includes all committee reports;
- d. assist the President with Association correspondence;
- e. be bonded by the Association.

## Section 5 - Treasurer

- a. hold funds of the Association, disburse them upon authorization of the President and/or Executive Committee;
- b. keep accurate accounts and receipts and disbursements;
- c. report to the Governing Council and prepare quarterly financial statements to the Governing Council;
- d. keep the President and Executive Committee informed of the financial condition of the Association;
- e. assist the budget committee in the initial drafting of its annual budget and submit his/her books for annual audit;
- f. be bonded by the Association.

## Section 6 - Members-at-Large

Members-at-Large shall serve as representatives of the general membership of their area, as liaison members for designated committees, and perform such area duties as assigned by the President.

## Article IV: Powers & Duties of the Executive Committee

### Section 1 - Duties

The Executive Committee shall be responsible for the management of the Association, approve all expenditures not outlined in the adopted budget, carry out policies established by the Governing Council, report its transactions and those of the Council to the members, and suggest policies for consideration by the Council. They will take action on Grievance cases submitted by the Grievance Committee.

### Section 2 - Workshops and Conferences

The Executive Committee shall develop or recommend workshops and training conferences.

### Section 3 - District Policy and Procedures

The Executive Committee shall carry out the recommendations of the Governing Council in the areas of District Policy and Procedures. The Executive Committee shall represent the Association in developing district policy and procedure with the governing and appropriate bodies of the School system, within policies established matters. The Executive Committee may delegate its power to formulate policies to another committee or representative.

### Section 4 - Minority Representation

The Executive Committee - If the Executive Committee does not reflect proportionate ethnic-minority representation of membership, a special election will be held to provide for an additional seat on this committee. If after a proportionate number of years a minority president has not been elected, the Association shall elect a minority president for the next year, if at all possible.

### Section 5 - Budget Program

It will be the responsibility of the executive committee to formulate the budget for the coming year with input from the committee chairs.

Article V: Powers of the Governing Council

**Section 1 - Duties**

The Governing Council shall approve the budget and dues for the Association. It shall act on reports of committees, approve resolutions and other Association position statements, and adopt procedures for implementing the Code of Ethics of the Education Profession and requirements for professional association membership. It may adopt rules governing the employment of staff, the conduct of the Association, the conduct of meetings, and the rules and policies as necessary to carry out the objectives and business as are consistent with this Constitution and Bylaws.

**Section 2 - Association Poll**

The Governing Council shall poll the members of the Association on any important issue upon the request of a majority of the Association Representatives at any regular or special meeting of the Governing Council.

Article VI: Powers of the Association Representatives

**Section 1 - Representation**

Each school in Phoenix Elementary School District #1 shall have one Representative for each twelve members or major fraction thereof. There shall be at least one Representative for each building. Where more than one Representative is elected, one shall be designated the Senior Association Representative and serve as building chairman. The terms shall be staggered. **The Association shall guarantee ethnic-minority representation on its Governing Council at least proportionate to its active ethnic-minority membership.**

**Section 2 - Duties**

The Association Representative, with the Senior Association Representative as chairman, shall call Association meetings within the buildings of the Association members to discuss Association business, organize and conduct voting procedure, report the results of ballot votes to the Governing Council, appoint such Association committees as the Association and the building may require, and oversee the subsequent election of Association Representative, the enrollment of members and assume responsibility for two-way communication with the building.

**Section 3 - Election**

The Association members of each school, who are in good standing with the Association, shall elect its Association Representative to the Council for a term of two years. Representatives will be elected in April and seated at the May meeting of the Governing Council.

**Section 4 - Alternates**

Alternates shall be elected for each Representative and be kept informed of all business by their faculty and the Council. If a vacancy should occur, the alternate shall take over the position.

**Section 5 - Vacancy**

Should the Association Representative be unable to fulfill his/her duties or be incapacitated, and a vacancy occurs within the Governing Council, the President may designate an Association member in the building concerned to organize a special election to fill the vacancy.



## Section 6 - Eligibility

Association Representatives shall be members of the Phoenix Elementary Classroom Teachers Association and shall maintain their membership in good standing during the term of service. Should any faculty be unable to secure a representative to the Governing Council, the President shall appoint a Representative from that faculty.

## Article VIII: Committees

### Section 1 - Titles

Committees of the Association shall be: Meet and Confer, Grievance, Communication, Professional Development, and PAC. They shall receive directions from and report to the President.

### Section 2 - Functions

Committee functions shall be:

#### A. Meet and Confer:

1. survey;
2. research and be trained;
3. draft proposals - submit to Governing Council for approval;
4. table presentation;
5. provide communications/updates;
6. reach tentative agreements or impasse;
7. present package to general membership for ratification with the approval of the Governing Council.

#### B. Grievance:

1. be aware of District policy and procedures;
2. should meet and make recommendations to the appropriate body;
3. familiarize the membership with the existing grievance procedure;
4. shall be responsible for a grievance representative at each building;
5. assist members in the execution of grievances;
6. recommend to the Executive Committee the necessary expenditures.

#### C. Communications:

1. be aware of the purposes, positions, and programs of the Association;
2. be responsible for internal communications;
3. be responsible for external communications.

#### D. Professional Development:

1. be concerned with the professional growth policy;
2. be concerned with assessment of evaluation of the entire professional staff;
3. research and make recommendations for in-service;
4. be aware of the State and National Association programs;
5. be involved with the District in all areas of Curriculum.

#### E. PAC:

1. shall research and promote information of all pertinent political activities;
2. be responsible for providing opportunity for registration among teachers and the community;
3. recommend to the Governing Council appropriate candidates or political issues;
4. be responsible for organizing the Association's efforts in any public election within the limits of State Law.

- F. **Membership:**
1. organize and conduct a membership campaign;
  2. forward membership dues to the appropriate agency;
  3. develop a directory of membership;
  4. serve as liaison between the Association and other unified member organizations in matters pertaining to membership;
  5. provide support and introduce new teachers to the operation of the Association and the District.
- G. **Social Committee:**
1. organize such social activities as may serve the needs of the Association;
  2. promote fellowship within the Association.
- H. **Nominations/Election:**
1. see Article VIII Bylaws;
  2. no officer of the Association shall serve on the committee.
- I. **Minority Affairs Committee:**
1. monitor activities of local governance;
  2. provide input on local programs and policies concerning minorities;
  3. monitor local affirmative action plans, including recruitment programs designed to facilitate promotion, and more valid procedures for assessing the performance and potential of minorities, the handicapped and women;
  4. make recommendations regarding appropriate means and methods of continuing minority input into state and local associations.
- J. **Scholarship Committee:**
1. award a scholarship to one student in each 8th grade graduating class;
  2. select award recipient on the basis of citizenship, academic ranking need for financial assistance and evidence of the desire to continue their education in high school;
  3. scholarship money to be deposited at the bookstore of the high school where the student will be attending and is to be used for the purchase of necessary books and supplies;
  4. scholarship money available shall be based on Association membership.

### Section 3 - Term of Office

Committee members shall be appointed for one year and may succeed themselves. Each committee may, with the approval of the Executive Committee, organize special sub-committees for specific activities related to their purpose.

### Section 4 - Vacancy

Should a vacancy occur within a committee, except as provided in Article VI, Section 4 of Constitutions, the chair of the committee, or a member designated by the committee, with the approval of the President, shall fill the vacancy.

### Section 5 - Meetings

Each committee shall meet regularly according to a calendar developed at the first meeting of the committee and approved by the Executive Committee. Special meetings may be held at the call of the Chair.

## Section 6 - Reports

Each committee shall elect a secretary, keep continuing record of activities, make regular reports to the Governing Council and where deemed necessary or advisable, to the Executive Committee, prepare and submit in writing an annual report to the general membership and to the Association Secretary for Association files.

Each year, the President will appoint the following committees as may be necessary and shall discharge them upon completion of their duties: Social, Human Relations, Nominations/Elections, Constitution, Budget, and such other special committees as may be necessary.

- A. Social Committee - shall organize such social activities as may serve the needs of members and promote fellowship within the Association.
- B. Human Relations - shall work to plan, develop, and promote activities appropriate to further the civil and human rights of students and educators; work to broaden and extend all areas of rights toward better human relations through the local, state, and national Associations.
- C. Constitution - shall be an ad-hoc committee appointed by the President.
- D. Budget - the budget committee shall:
  - 1. consist of the President, President-Elect, Treasurer, and Treasurer-Elect;
  - 2. review previous budget and quarterly financial reports;
  - 3. solicit recommendations from committee chairs;
  - 4. develop a budget to be approved at the first meeting of the school year.

## Article VIII: Elections

### Section 1 - Nominations/Balloting

- A. At the February Governing Council meeting, the positions will be announced. An informational flyer and nominations form shall be provided to the Association Representatives for distribution to each member.
- B. At the March Governing Council meeting, the committee will receive nomination forms from the Association Representative. They will report on the findings. The President will call for nominations from the floor.
- C. The committee will distribute the secret ballots to ~~the Association Representatives~~ all members of the Association. The ballots must be returned to the committee chair by the Monday prior to the April Governing Council meeting.
- D. At the April meeting, election results will be announced.
- E. New officers shall be installed after the NEA Representative Assembly in July.

### Section 2 - Ballot Records

The results of the ballot votes from each faulty association member on the issue of dues, amendments to the Constitution and Bylaws, and election of officer shall be reported to, approved and recorded by the Governing Council. Election results shall be filed with the secretary for a period of one year.

### Section 3 - Delegates/Alternates

- A. AEA Nominations
  - 1. At the December Governing Council meeting, the positions will be announced. An informational flyer and nomination form shall be provided to the Association Representatives for distribution to each member.

2. At the January Governing Council meeting, the Committee will receive nomination forms for the Association Representatives. They will report on their findings. The President will call for nominations from the floor.
3. The committee will distribute ballots to the Association Representatives. The ballots must be returned to the committee chair Monday prior to the February Governing Council meeting.
4. At the February meeting, election results will be announced.

**B. NEA Representative Assembly**

1. The President shall serve as an NEA delegate.
2. Other delegates will be elected in the following manner.
  - a. At the January meeting of the Governing Council, the positions will be announced. An informational flyer and nomination form will be provided to the Association representatives for distribution to each members.
  - b. At the February meeting of the Governing Council, the committee will receive nomination forms from the Association Representatives. They will report on their findings. The President will call for nominations from the floor.
  - c. The committee will distribute ballots to the Association representatives. The ballots must be returned to the committee chair by the Monday prior to the March Governing Council meeting.
  - d. By the March meeting of the Governing Council, the election results for delegates and alternates will be announced.
  - e. NEA delegates will serve a one (1) year term.
  - f. In the event of a vacancy, the person receiving the next highest amount of votes shall be the successor delegate.
  - g. In the event the President-Elect becomes President, he/she shall assume duties of the President, including NEA/RA delegate.

Article IX: Authority

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

Article X: Amendments

These Bylaws may be amended by a 2/3 majority of the total votes cast provided that amendments have been introduced at the preceding regular meeting of the Governing Council and that copies of proposed amendments have been immediately distributed to members of the Governing Council for Association discussion.

History of Revision

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