



# Constitution and Bylaws

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*Adopted by the FEA Representative Assembly June 5, 2019*

**PREAMBLE**

We, the members of the Fairfax Education Association, an affiliate of the Virginia Education Association and National Education Association, in order that the union may serve as the voice for education, advance the cause of education for all individuals, promote professional excellence among educators, gain recognition of the basic importance of the professional educator in the learning process, protect the rights of educational employees and advance their interests and welfare, secure professional autonomy, unite educators for effective citizenship, promote and protect human and civil rights and obtain for its members the benefits of an independent, united teaching profession, do hereby adopt this Constitution.

**ARTICLE I. Name, Goals, Objectives and Authorities for Governance****SECTION 1. Name**

The name of this organization shall be the Fairfax Education Association, Inc.

**SECTION 2. Organizational References**

- a. The Fairfax Education Association will hereinafter be called "FEA."
- b. The Virginia Education Association will hereinafter be called "VEA."
- c. The National Education Association will hereinafter be called "NEA."
- d. The District of the Virginia Education Association wherein the Fairfax Education Association resides will hereinafter be called "District."
- e. The Board of Directors of the Fairfax Education Association will hereinafter be called "Board."
- f. The Representative Assembly of the Fairfax Education Association will hereinafter be called "RA."
- g. The Fairfax County Public Schools will hereinafter be called "FCPS."
- h. The Instructional Assistant will hereinafter be called "IA."
- i. The Unified Scale Educational Support Professionals will hereinafter be called "ESP" and shall include all members eligible for active membership from the FCPS unified scale as well as Instructional Assistants; similarly, the FEA Education Support Professionals Council will hereinafter be called the "ESP Council."
- j. The Fairfax Education Association – Retired will hereinafter be called "FEA-R".
- k. The FEA Government Relations Council will hereinafter be called "GRC."
- l. The FEA Instruction and Professional Development Committee will hereinafter be called the "IPD Committee" or "IPD."

**SECTION 3. Goals and Objectives**

The goals and objectives of FEA shall be as stated in the Preamble and Bylaws. FEA shall have the power necessary and proper to take action for the attainment of these goals. Nothing in this Constitution, or in the Bylaws shall be construed to prevent FEA from pursuing other objectives, which are consistent with the stated goals of FEA or in meeting all legal and fiduciary obligations.

**SECTION 4. Governance**

FEA shall be governed by its Charter, this Constitution, the Bylaws and Standing Rules and such other actions as the RA and Board may take consistent therewith.

**ARTICLE II. Membership****SECTION 1. Classes of Membership**

Membership in FEA shall be comprised of active members and such other classes as may be provided in the Bylaws.

**SECTION 2. Membership Eligibility: Provisions and Limitations**

Membership eligibility is defined in the FEA Bylaws. Members shall agree to subscribe to the goals and objectives of FEA and to abide by its Constitution and Bylaws.

### ARTICLE III. Representative Assembly

The RA shall serve as the sole legislative body of the union and shall make policy.

The RA shall function as defined by the Bylaws.

Twenty percent (20%) of the membership of the RA, at least two (2) of whom must be current officers sitting on the board, shall constitute a quorum for meetings of the RA.

### ARTICLE IV. Officers

#### SECTION 1. Officers

The officers of the union shall consist of the President, the President-Elect or Vice President, the Secretary, and the Treasurer.

- a. Qualifications for each office shall be defined in the Bylaws and Standing Rules.
- b. Procedures for electing new officers shall be defined in the Bylaws, Standing Rules, and relevant Elections documents.
- c. Each officer shall carry out the duties of their office as described in the Bylaws and Standing Rules.

#### SECTION 2: Terms of Office

- a. President – The President shall serve a three-year term. The President may not succeed his or herself.
- b. President-elect – A President-elect shall be elected for a one-year term to take office effective the last year of the incumbent President’s term. At the termination of the President-Elect’s one-year term, he/she shall automatically become the President and serve a three-year term in that position.
- c. Vice President – A Vice President shall be elected for a two-year term to serve in years without a President-elect.
- d. The President may not immediately succeed themselves.
- e. Secretary– The Secretary shall serve a two-year term. The Secretary may serve no more than two full consecutive terms without a break in service of at least one year.
- f. Treasurer – The Treasurer shall serve a two-year term. The Treasurer may serve no more than two full consecutive terms without a break in service of at least one year.
- g. Partial terms of one year or less are not counted in determining term limits.

#### SECTION 3: Vacancies

- a. If, for any reason, a permanent vacancy is created during the term of office of the President, then it shall be filled pursuant to the following rules:
  1. If, at the time such a vacancy exists, there is one year or less remaining in that term, then the President-Elect shall assume the Presidency.
  2. If, when the vacancy is created, there is more than one year remaining, the Vice President shall serve as President on an interim basis until the next general election. The newly elected President shall only serve for the remainder of his/her predecessor’s term of office.
- b. If, for any reason, a permanent vacancy is created during the term of the President-Elect, then the following rules shall apply:
  1. If the vacancy occurs with sufficient time as determined by the Elections Commission prior to the next general election, the election shall be held in conjunction with the regular election.
  2. If it occurs at a time designated by the Elections Commission as too late for the regular election and prior to the person assuming the office of President, a special election shall be held consistent with the applicable standing rule governing special elections. If the special election cannot be held prior to the change of terms, the newly elected Vice President shall assume the office of the President until the election is held.
- c. If, for any reason, a permanent vacancy is created during the term of office of any officer except the President or President-Elect, then the following rules shall apply:
  1. The vacancy shall be filled by secret ballot election at the RA.
  2. The vacancy shall be announced by notice to all representatives for posting at least three (3) weeks prior to the meeting.
  3. Time for speeches by all candidates shall be allowed prior to balloting.

4. The person who takes office shall serve only for the remainder of the term of the person he/she replaces.

## **ARTICLE V. Board of Directors**

Consistent with the goals and objectives of FEA, the Board shall act for FEA between meetings of the RA; and in addition, it shall have the sole responsibility for any matter expressly delegated to it by the RA.

### SECTION 1: Composition of the Board of Directors

The Board of Directors shall consist of the following:

- a. The FEA President, Vice President or President-Elect, Secretary, and Treasurer;
- b. The chair of the Membership-Committee;
- c. The chair of the IPD Committee, elected as a voting ex-officio member;
- d. The chairs of the GRC and ESP Council;
- e. Five members, elected at-large from the general membership;
- f. One representative of the FEA-R shall serve as a voting ex-officio member of the Board.
- g. Any FEA member that is elected to the NEA Board of Directors or the VEA Board of Directors shall be seated on the FEA Board as voting ex-officio members as long as they meet all the qualifications of "Active membership" defined in the Bylaws.
- h. The Immediate Past-President of the FEA shall serve as a voting ex-officio member for one year following the end of their term as President.
- i. Other ex-officio Board seats may be added to ensure there are no fewer than three ESP serving on the Board. Procedures for such an occurrence shall be outlined in the Bylaws.

### SECTION 2: Qualifications and Elections

- a. With the exception of the FEA-R representative (who is elected from and by the FEA-R Council), as well as any VEA and/or NEA Directors (who are elected by the VEA membership), the election of Board members shall take place using a secret ballot conducted among the general FEA membership.
- b. Board members shall be active members of the union whose eligibility is defined in the Bylaws and Standing Rules.
- c. Qualifications for Board members, procedures for electing new Board members, and removing sitting Board members shall be outlined in the Bylaws and Standing Rules.

### SECTION 3: Terms of Office

Each member of the Board - except for the President, President-Elect or Vice President - shall serve a two year term, and may serve no more than two consecutive terms in the same position without a break in service of at least one year; partial terms of one year or less are not applicable to this rule.

### SECTION 4: Vacancies

If, for any reason, a permanent vacancy is created during the term of office of the Membership, IPD, GRC, or ESP Council Chair, or any FEA Director At-large, the following rules shall apply:

- a. The President shall present to the Board of Directors within thirty (30) days a nominee to be approved by that body.
- b. Provided that time is sufficient to arrange an election, the nominee who takes office shall serve only for the remainder of the year (ending July 31) following regularly scheduled elections.

### SECTION 5: Quorum

A majority of the members of the Board, at least two (2) of whom must be officers, shall constitute a quorum for meetings of the Board.

## **ARTICLE VI. Commissions, Councils and Committees**

### SECTION 1. Appointive Bodies

There shall be four (4) types of appointive bodies: commissions, councils and standing committees, and special/ad-hoc committees. These appointive bodies shall operate in accordance with the Bylaws, Standing Rules, and other relevant governing documents.

#### SECTION 2. Elective Bodies

Special committees may be elected by the RA

#### **ARTICLE VII. Impeachment, and/or Recall and Removal**

Any elected officer, member of the Board, or representative or alternate representative may be impeached, and/or recalled and removed for any misfeasance, for malfeasance, for nonfeasance or for conduct detrimental to the mission and goals of the FEA while in office. Procedures for such an occurrence shall be outlined by the FEA Bylaws.

#### **ARTICLE VIII. Amendment of Constitution and Bylaws**

##### SECTION 1. Proposal of Amendment

Amendment to the Constitution or the Bylaws may be proposed to the RA by one or more of the following methods:

- a. By a majority vote of the Board;
- b. By petition signed by at least twenty-five percent (25%) of certified representatives;
- c. By petition signed by ten percent (10%) of the general membership.

##### SECTION 2. Amending Procedure

- a. A proposed amendment shall be presented to the Board for information before the following RA; it shall then be presented for information to the RA. Twenty-five (25) days prior to the following RA, the text of the proposal shall be sent to each representative. Only then can the RA discuss and vote upon the proposed amendment. A two-thirds vote (2/3) of the representatives is required to amend the Constitution. A majority vote of the representatives is required to amend the Bylaws.
- b. Unless otherwise provided, all amendments shall take effect immediately upon adoption.

## BYLAWS OF THE FAIRFAX EDUCATION ASSOCIATION

### 1. Objectives

#### 1-1. Specific Objectives

The specific objectives directed toward the achievement of the stated goals of FEA shall be:

- a. To improve the structure of FEA in order to ensure the full and effective participation of all members, thereby establishing and maintaining an independent, self-governing organization.
- b. To promote continuous improvement of instruction and of curriculum.
- c. To promote and protect the rights and welfare of its members.
- d. To advance professional rights and to enhance professional autonomy in order to further the consistent development and improvement of the profession and its practitioners.
- e. To work for the broad support of education and for improved attitudes toward the profession.
- f. To secure adequate financial support for public education.
- g. To provide leadership in solving educationally related problems, and
- h. To protect and support active members as employees in disputes with employers and those acting on behalf of employers.

### 2. Membership

#### 2-1. Classes of Membership

- a. Active Membership - Active membership shall be open to educational staff members who are employed by FCPS and classified as teachers, psychologists, social workers, IAs and/or ESPs.
- b. Associate Membership - The Board has the authority to grant associate membership to specific individuals not contained in the categories above and classify them as Associate members.
- c. Retired Membership - Retired membership is open to all who at the time of their employment were involved with education employee professions and who subscribe to the goals of the organization.
- d. Associate Retired Membership - The Board reserves the right to include other individuals not contained in the category above.
- e. Honorary Membership - Honorary membership may be awarded by the Board to persons in recognition of distinguished service to education.
- f. Administrators are not eligible for new membership. Members who become administrators and elect to retain membership are not eligible to vote or hold any office.

#### 2-2. Rights and Limitations

Membership in FEA shall be determined by FEA.

- a. The right to vote and to hold office or appointive position shall be limited to members within the designated categories. Associate, Retired, Associate Retired and/or Honorary members, except the President of FEA-R are ineligible to vote, hold office, be a delegate to the RA, or to serve on the FEA Board in any capacity.
- b. Effective upon acquiring membership status (either for the first time or after a period during which membership status was revoked or suspended) a member shall be eligible to receive special services, to obtain assistance in the protection of professional rights, and to receive reports and publications of FEA. FEA, at its discretion, may determine to provide representational services to a member who claims that his or her employment status or professional reputation has been adversely affected as a result of events, which occurred prior to acquisition of membership status.
- c. Classes of membership other than Active and Life members shall receive those rights and privileges designated by the Board or elsewhere specified in the Charter and Bylaws.
- d. Membership eligibility shall be continuous unless terminated for just cause.
- e. An individual who is a member of a negotiations team representing FCPS shall be denied membership.
- f. Any member who changes his or her professional or occupational position shall be transferred to the class of membership applicable to his or her new position; he or she shall not remain in a class of membership for which he or she is no longer eligible.

- g. Members who become administrators and elect to retain their membership will not be eligible for grievance services to the disadvantage of non-administrative members.
- h. Any active member from another NEA-affiliated local who transfers into FCPS is eligible for active membership in the FEA.

### 2-3. Membership Year

The membership year shall be from September 1 through August 31.

### 2-4. Membership Dues

- a. The annual FEA dues for full-time active professional members on Salary Scale Schedules B, C, and Teacher shall be determined by multiplying the FCPS Step 1 BA Teacher salary figure by an index of .005422.
- b. Persons eligible for active membership who are regularly employed for fifty percent (50%) or less of the normal schedule of a full-time professional member shall pay one-half (1/2) of the active membership dues.
- c. Persons eligible for active support membership who are full-time IAs or ESPs of Salary Scale Schedules A, H, and IA shall pay one-half (1/2) of the professional membership dues.
- d. Persons eligible for support membership who are regularly employed for fifty percent (50%) or less of the normal schedule of full-time IAs or ESPs shall pay one-half (1/2) of the support dues (one-fourth [1/4] of the professional membership dues).
- e. All persons eligible for membership who sign a contract for employment after the beginning of the contract year may join FEA by paying prorated dues. Such prorated dues shall be commensurate with the remaining portion of that membership year.
- f. Any member who is granted an official leave of absence from his/her official duties in FCPS may retain active membership status by paying his/her membership dues directly to FEA.
- g. FEA dues shall be waived for FEA past presidents.
- h. FEA dues shall be waived for FEA members serving as VEA or NEA officers.

## 3. Representative Assembly

### 3-1. Functions

The RA shall:

- a. Establish FEA policies.
- b. Adopt the annual budget.
- c. Amend the Constitution and the Bylaws.
- d. Adopt the rules and agenda governing its meetings.
- e. Enact other such measures, as necessary, to achieve the goals and objectives of FEA, which are not in conflict with the Charter, this Constitution or the Bylaws.
- f. Act on committee reports.
- g. Conduct special elections as appropriate.

### 3-2. Meetings

The RA shall meet monthly from September through June. Petitions for special meetings are to be delivered to the President of FEA ten (10) FEA working days before the meeting is to be called.

### 3-3. Allocation/Election of Representatives

- a. Delegates and alternates shall be elected annually within worksites by June 1. In worksites with two or more delegates, a head delegate shall be designated at the time of election. Results are to be communicated to the FEA office immediately. In the case of schools in their first year of operation, such elections shall be held prior to the October meeting of the RA.
- b. When representatives have been elected and representation does not reflect proportionate ethnic minority and/or ESP/teacher representation, additional representatives should be elected at-large by the membership to bring about such representation.

### 3-4. Powers and Duties of the Representative

The Representative must:

- a. Maintain his/her FEA membership while-serving in that position.
- b. Conduct FEA business within the worksite. Under conditions that prevent the head representative from performing these duties, it shall be his/her responsibility to designate another representative or alternate to perform these duties.
- c. Attend all RA meetings. Alternates shall attend in the absence of the representative. A representative shall be subject to recall if he/she or his/her alternate misses three RA meetings.
- d. Serve as a communications liaison to and from FEA.
- e. Vote on all business matters brought before the RA.
- f. Report all significant actions of the RA and receive input from the membership within their respective worksites.

## 4. Officers

### 4-1. Powers and Duties of the President

The President shall:

- a. Carry out FEA's policies by representing it as spokesperson on such matters or assigning responsibility for such representation.
- b. Preside over meetings of the Board/UniServ Council, the RA, President's Advisory Council, and other union activities, as appropriate to the office.
- c. Be responsible for the operation of FEA as directed by the RA and the Board.
- d. Announce the standing committees, appoint the committee chairpersons, and appoint the committee members from an open application list of all FEA members.
- e. Direct the work of FEA's committees.
- f. Appoint special committees and a Meet & Confer Team, as necessary, or as directed by the RA or the Board.
- g. Report to the RA and the Board the status of FEA on a regular basis.
- h. Serve in various Presidential positions such as FEA Board/UniServ Council, Board of the District, ex-officio (voting) on standing and/or special committees, commissions, and councils.
- i. Attend all staff meetings when possible.
- j. Perform other duties as described in FEA's Personnel Policies Handbook.
- k. In the years when there is no President-elect, the President shall also oversee preparation of FEA's budget and develop a Meet & Confer Team package.

### 4-2. Powers and Duties of the President-Elect

The President-elect shall:

- a. In consultation with the President, oversee preparation of the budget to be adopted and subsequently followed during the next year.
- b. In consultation with the President, develop a Meet & Confer Team package.
- c. Carry out all powers and duties of the Vice President as defined in Bylaw 4-3.

### 4-3. Powers and Duties of the Vice President

The Vice President shall:

- a. Serve in the various Vice President positions such as Board, ex-officio (voting) on standing and/or special committees, commissions and councils.
- b. Present recommendations of the Board to the RA.
- c. Carry out the duties of the President in his/her absence.
- d. Perform such duties consistent with the office as requested by the President.
- e. Perform other duties as described in FEA's Personnel Policies Handbook.
- f. In consultation with the President and membership committee chair, coordinate the implementation of the FEA membership plan.



#### 4-4. Powers and Duties of the Secretary

The Secretary shall:

- a. Record all accurate minutes of the Board and RA and submit in writing within one week.
- b. Work with office staff to maintain accurate minutes of the RA and the Board.
- c. Be responsible for the preparation of records of all official meetings and the distribution and presentation of minutes for all such meetings.
- d. Ensure that the official copies of the Constitution and Bylaws, Standing Rules, Policies and Goals are current.
- e. Work with office staff to maintain separate records of all motions and policies passed by the Board and the RA for inclusion in the official record books.
- f. Maintain records of proceedings and attendance of all Committee meetings.
- g. Serve as ex-officio chair of the Constitution, Bylaws and Rules Committee.

#### 4-5. Powers and Duties of the Treasurer

The Treasurer shall:

- a. Oversee all monetary transactions connected with FEA.
- b. Review all FEA expenditures on a regular basis.
- c. Meet with staff and officers, when the need arises, to provide information and advice on FEA expenditures.
- d. Oversee the payment, by check, signed by two of the following: Treasurer, President, or President-Elect/Vice President.
- e. Bring to the attention of the Board any line items over-expended by ten percent (10%) of the budgeted amount and provide additional information on such line items.
- f. Advise the Board on FEA monetary matters.
- g. Present a monthly itemized statement of the receipts and disbursements of FEA to the Board and the RA.
- h. Ensure that the books are submitted for audit by November 1 of each year covering the previous fiscal year, September 1 through August 31.
- i. Serve as the ex-officio (voting) vice-chair of the Budget and Finance Committee.

#### 4-6. Rights and Limitations

An officer shall be a voting member of the RA.

#### 4-7. Qualifications of Officers

All elected officers of the union shall have been active members for at least three (3) years preceding the date of taking office.

### 5. Board of Directors

#### 5-1. Composition

A Board member shall immediately relinquish the position held on the Board when such director ceases to be employed in the category represented.

#### 5-2. Rights and Limitations

- a. A Board member shall be a voting member of the RA.
- b. Excluding the President, all elected board members shall serve no more than two consecutive terms in that elected board position.

#### 5-3. Function

Consistent with the goals and objectives of FEA, the Board shall act for FEA between meetings of the RA; and in addition, it shall have the sole responsibility for any matter expressly delegated to it by the RA. The Board shall:

- a. Meet as necessary to conduct FEA business, but in no case less than once a month from August to June.
- b. Implement policies established by the RA.

- c. Act for FEA between meetings of the RA, with policy actions open to review by the RA.
- d. Receive all reports of the UniServ directors, officers and committees and transmit with its recommendations appropriate reports to the RA.
- e. Implement the budget.
- f. Be empowered to censure, suspend, place on probation or expel any member for cause by a two-thirds (2/3) vote. Cause shall include, but not be limited to, misuse of funds and misrepresentation of FEA positions. The Board's action can be appealed to the RA for final determination.
- g. Recommend FEA goals annually to the RA for approval.

#### 5-4. Powers and Duties

- a. Attend the meetings of the Board and of the RA.
- b. Serve in other positions appropriate to the office such as liaison to member groups or committees.
- c. Attend School Board or community group meetings as necessary.

#### 5-5. Term of Office

- a. The chairs of the IPD and Membership Committees shall be elected in odd years.
- b. The chairs of the GRC and ESP Council shall be elected in even years.
- c. At-Large Directors shall be elected as follows: two positions during even years, and three positions during odd years.
- d. NEA and VEA Directors shall be seated as voting ex-officio members as necessary.
- e. The Immediate Past-President shall serve on the Board as a voting ex-officio member for one year following the conclusion of his/her term as President, as long as active membership is maintained in accordance and compliance with the Bylaws and Standing Rules.
- f. All terms of office begin August 1 of that year.
- g. All terms of office, except for the President and President-Elect, shall be two years in length.

#### 5-6. ESP Representation on the Board

There shall always be at least three members of the Board who are ESP; this requirement is met by any ESP serving as either an Officer, ESP Council Chair, GRC Chair, Membership or IPD Committee Chair, as a Director At-Large, or as a VEA or NEA Director. If there are fewer than three ESP elected to the Board after FEA Elections have occurred, the following conditions apply:

1. At the first Board meeting of the next school year, the FEA President shall present a candidate (or candidates) to the Board to serve as a Board member.
2. Each candidate must be approved by a majority vote of the Board before beginning their term.
3. Any ESP Board member appointed in this manner shall enjoy the full rights and privileges of being a Board member, and shall serve no more than a one-year term from the time of their confirmation through July 31 of the following year.
4. Board members appointed this way shall serve no more than two consecutive one-year terms in this capacity; should the member run for a Board position, one-year ex-officio terms do not apply to other Board member term limits.
5. This position shall be styled, "ESP Director At-Large"

#### 5-7. Qualifications of Board Members

All active FEA members who have been active members for three (3) or more years preceding the date of taking office are eligible to serve on the Board.

### **6. President's Advisory Council**

#### 6-1. Functions

The President's Advisory Council shall:

- a. Meet at the call of the President.
- b. Discuss with the President issues of mutual interest and concern.

- c. Make appropriate requests and recommendations to the President.

## 7. Commissions, Councils and Committees

### 7-1. Commissions

- a. The size and function of commissions shall be determined by the RA at the time of establishment unless otherwise specified in the Constitution or these Bylaws.
- b. An Elections Commission consisting of a chairperson and a vice chairperson shall be appointed each year by the President of FEA with the approval of the Board for a one (1) year term. The Elections Commission chairperson and vice chairperson may select up to three additional members of the commission. At least one of the members of this commission must be from non-teacher scale categories.

Function and Procedures of the Elections Commission:

The function and procedures of the Elections Commission, as described in the Standing Rules of FEA, are hereby incorporated by reference and shall remain in effect so long as those provisions of the Standing Rules apply. The Elections Commission shall:

1. Announce vacancies and recommend a plan and timeline to the FEA Board for all FEA administered elections at the FEA Board meeting preceding the November RA and at the November RA.
2. Receive and validate all nominating petitions by a predetermined deadline date.
3. Provide a timely report to the FEA Board of valid and invalid petitions including positions for which there is no candidate.
4. Provide a timely report to the FEA Board of the absence of eligible petitions of any IA, ESP Salary Scale Schedule A and H) or ESP Salary Scale Schedule B and C) for Board action in accordance with Article V, Section 1 of the FEA Constitution.
5. Serve as a Nominations Board for the FEA and for the District if requested
6. Require its members to refrain from any participation in the campaigning
7. Ensure its proceedings are confidential.

### 7-2 Councils

- a. The chair of the GRC shall be elected by general membership in accordance with the Bylaws of the FEA. The GRC shall operate by guidelines approved by the FEA Board. General membership of the GRC will be open to all interested members of the FEA and FEA-R.
- b. The ESP Council chair must be an ESP and shall be elected by general membership in accordance with the Bylaws of the FEA. The ESP Council shall operate by guidelines approved by the FEA Board. General membership of the ESP Council will be open to all interested members of the FEA; however, the council must be made up of a minimum of eighty percent (80%) ESP members.
- c. Councils shall operate by guidelines approved by the Board.

### 7-3. Standing Committees

- a. Annual appointments of standing committees shall be made by the President.
- b. Unless otherwise prescribed, the Committee Chairperson shall be named by the President annually.
- c. The size of all standing committees shall be determined by the President.

The Standing Committees shall study and make recommendations on matters of union concern such as:

- a. Budget and Finance
- b. Meet & Confer
- c. Credentials
- d. Constitution, Bylaws and Rules Committee
- e. Economic Services
- f. Human & Civil Rights
- g. Instruction and Professional Development
- h. Membership
- i. Resolutions

- j. Scholarship
- k. Social

#### 7-4. Special Committees

Special Committees may be established by the RA, or by the Board, or by the President for the purpose of accomplishing a specific task within a limited period of time.

#### 7-5. Council, Commission and Committee Membership

- a. All appointments shall be made on the basis of individual expertise and ability to make substantial contribution in the specific area of concern.
- b. Absence of a member from two consecutive meetings without just reason shall constitute resignation, unless other provisions are specified in the guidelines of the body.
- c. Chairs of Councils, Commissions and Committees will submit attendance reports of announced meetings to the FEA Secretary within ten days of meetings held.
- d. Chairs of Councils, Commissions and Committees will submit an operational budget request to the FEA Budget Committee in March.

### 8. Disciplinary Procedures

Disciplinary procedures may include reprimand, probation, impeachment (to charge with misconduct) and/or recall (to remove by vote as set forth in sections 8-1 and 8-2).

#### 8-1. Discipline for elected officers and at-large members or VEA director members of the Board

Discipline for officers or at-large members of the Board must include:

- a. Written petition by either ten percent (10%) of the membership; twenty percent (20%) of the Board; or twenty percent (20%) of the members of the RA presented to the Board specifically naming the member(s) of the Board to be disciplined and the formal charges being alleged.
- b. A resolution passed by a majority vote of the Board not named in the disciplinary petition, which convenes a confidential investigating committee to conduct a thorough investigation and make written recommendation to the Board in Executive Session. The investigating committee shall be named in the resolution, and shall be comprised of Board members not named in the disciplinary petition, as well as other active Association Representatives not involved with the disciplinary petition. The work of the committee shall be concluded within thirty (30) days of the appointment and shall ensure that all rights of due process shall be afforded. At least fifty percent (50%) of the Board members not named in the disciplinary action shall constitute a quorum. Should more than fifty percent (50%) of the Board face disciplinary procedure simultaneously, the VEA and/or NEA shall be consulted for guidance in accordance with VEA and/or NEA governing documents and procedures.
- c. Majority vote of the Board not named in the written petition taken upon completion of a due process hearing on a motion to impeach and/or recall. The structure and format of the due process hearing will be determined by the members of the Board not named in the written petition. The members of the Board named in the disciplinary petition will have the right to counsel and will be notified of the established procedures; and,
- d. Two-thirds (2/3) vote of the RA on the motion to impeach and/or recall presented to them by the Board.

#### 8-2. Discipline of Directors

A director elected by the District may be disciplined if twenty-five percent (25%) of the active membership requests such disciplinary measure by petition and the majority of the active members in the District affirm the disciplinary measure.

#### 8-3. Discipline of a Representative or Alternate Representative

Discipline of a representative or alternate representative must include:

- a. Evidence of non-representation at a minimum of three RA meetings or non-performance of other representative duties; and,

- b. Majority vote of the members of FEA in the school or unit on the motion to discipline, which may be presented by any FEA member in that school or unit.

## **9. Parliamentary Authority**

The rules contained in Roberts Rules of Order Newly Revised shall govern FEA in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any standing rules established by FEA.

## **10. Amendment of Constitution, Bylaws and Standing Rules**

### 10-1. Presentation of Amendment

A proposed amendment to the Constitution, Bylaws or Standing Rules shall be presented in writing to the President and the Board.

### 10-2. Procedure for Amending the Constitution, Bylaws and Standing Rules

- a. The proposed amendment shall then be presented for information to the RA at a regularly scheduled meeting.
- b. Titles, texts and information regarding this amendment shall be sent to all delegates, at least-forty-five (45) days prior to its being presented for ratification.
- c. The proposed amendments shall then be presented for discussion and ratification at the next regularly scheduled RA.
- d. Ratification will occur at the following regularly scheduled RA.

### 10-3. Voting and Amendments

- a. This Constitution may be amended at the RA by two-thirds (2/3) vote of the representatives present and voting.
- b. The Bylaws may be amended at the RA by a majority vote of the representatives present and voting.
- c. The Standing Rules may be amended at the RA by a majority vote of the representatives present and voting.

### 10-4. Withdrawal of Proposed Amendments

- a. Request for withdrawal of proposed amendments to the Constitution, Bylaws, or Standing Rules shall be in writing and shall be granted, provided the request is signed by the majority of the originators.
- b. Requests for withdrawal of proposed amendments to the Constitution, Bylaws or Standing Rules, which have become the property of the RA, shall be granted upon the majority vote of the RA.

## **11. FEA Staff**

The Board and RA, through the FEA budget, shall allocate funding for staff necessary to pursue the mission and goals of the union.