

ADMINISTRATORS AND MEMBERSHIP BYLAW EDIT

Bylaw Proposal - Administrators Eligible for Membership but Exempt from Legal Services; Local cannot have input

Article IV. Membership

SECTION 1. ACTIVE MEMBERSHIP. Any person actively engaged in educational service of a professional nature, or on a limited leave of absence, in a public school district, university, or other public institution devoted primarily to education is eligible to become an active member of the Association if such person: (a) has a bachelor's or higher degree or holds a regular vocational or technical certificate and (b) where required, holds or is eligible to hold a regular certificate of any kind except an emergency substandard certificate.

Where Association membership is available through an affiliated local association, no Association membership shall be available without membership in that local association. A person who is eligible for membership in that local cannot apply for membership in another local association. No person may hold active membership in the Association who does not also hold membership in an affiliated local association, where available, and in the National Education Association.

An active member shall have full membership services and privileges, including voting, holding office, and serving as a delegate in an affiliated local association and the Association, except where prohibited. These services and privileges will continue so long as the member has no past dues obligations.

Active membership in the Association shall be continuous but may be terminated at any time by the member by written resignation to the local association president or state president. If the written resignation is received prior to September 15, the member's dues obligation shall cease; otherwise, the member shall be obligated to maintain his/her dues obligation for the remainder of the membership year. Active membership may also be terminated at the discretion of the state president and the executive director; or by the board of directors for (a) nonpayment of membership dues, (b) failure to meet membership requirements, or (c) denial or revocation of membership pursuant to Article IV, Section 9.

SECTION 10. ELIGIBILITY: PROVISIONS AND LIMITATIONS. Membership, as provided in other sections of this article, shall be open to persons who agree to subscribe to the goals and objectives of the Association and to abide by its bylaws.

Members engaged in teaching or other education work shall adhere to the Code of Ethics of the Education Profession as adopted by the Association.

~~Any administrator whose primary duties include advising the school board or Board of Regents in the bargaining process or making final recommendations to the employing body on the employment of personnel shall be denied active membership, if such denial is requested by the governing body of an affiliated local association in the school district or higher education institution in question.~~

A member is subject to censure, or denial, suspension, or revocation of membership in the Association by action of the board of directors for conduct inconsistent with the Code of Ethics of the Education Profession, or for just cause. Prior to any disciplinary action, however, any member must be served either by mail or in person with written specific charges outlining in sufficient detail the nature of the charges against the member so that the member may prepare an adequate defense if the member wishes. Prior to any final disciplinary action being taken, the member shall be entitled to at least thirty (30) days' notice of hearing before the board of directors. At such a hearing before the board, the issue of appropriate discipline, if any, shall be determined. The member shall be accorded all appropriate due process rights at said hearing including the right to be represented by counsel of the member's choice. The member is entitled to a written decision from the board of directors setting forth the decision of the board and the specific findings of the board upon which the decision is based.

The accused member(s) shall have the right to appeal to the Association under their due process rights. The board of directors shall have the power to reinstate any suspended or expelled member.

Any member being provided services under Member Rights shall be eligible to maintain their previous membership status and retain all rights and privileges thereof by the payment of appropriate dues.

The Association shall not deny membership to any person on the basis of race, creed, national origin, or sex.

Policy Changes Required: Member Rights Policy 9.1 and 9.2 will be changed to reflect that administrators are no longer entitled to legal services as part of their rights of membership.

PROPOSAL RATIONALE:

Submitted by: Bylaw Committee

Bylaw Committee Position: Do Pass

Board Position: Do Pass