

CONSTITUTION AND BYLAWS OF THE GWINNETT COUNTY ASSOCIATION OF EDUCATORS

ADOPTED AUGUST 1982; AMENDED MARCH 1984; APRIL 1985; NOVEMBER 1990; 1994; OCTOBER 1999; JANUARY 2011; JUNE 2014; MAY 2021; MAY 2022

Preamble

We the members of the Gwinnett County Association of Educators in order that the Association may serve as the model for leadership in education, local voice for public education, advance the cause of education as expressed through GCAE's mission and vision statements, promote professional excellence among educators, recognize the fundamental importance of the educator in the learning process, protect the rights of educators and advance their interests and welfare, secure professional autonomy, unite educators for active citizenship, promote and protect human and civil rights, and obtain for its members the benefits of an independent, united education profession, do hereby adopt the following Constitution and Bylaws.

Article 1. Name, Objectives Governance and Affiliation

Section I. Name

The name of this organization shall be the Gwinnett County Association of Educators ("Association").

Section 2. Objectives

The objectives shall be:

- a. To promote quality and equitable public education in Gwinnett County.
- b. To protect and advocate for the employment, human, and civil rights of all members (all educational employees, such as teachers, paraprofessionals, staff, and other professionals who work with students in Gwinnett County).
- c. To affirm the Association's commitment to diversity and inclusivity in regard to race, age, creed, gender, religion, national origin, gender identity, sexual orientation and disability.

Section 3. Governance

The Association shall be governed by the Constitution and Bylaws and such other policies consistent therewith as the general membership and the Board of Directors may enact.

Section 4. Affiliation

The Association shall affiliate with the Georgia Association of Educators (GAE) and the National Education Association (NEA) and shall require unification of local, state, and national membership dues.

Article II. Membership

Section 1. Membership Categories

Membership in the Association shall include Active Certified, Education Support Professional (ESP), Substitute, Student, Retired, and such other categories as may be defined in the Bylaws.

Section 2. Membership Eligibility

- a. Membership, as provided in the Bylaws, shall be open to all state-certified persons actively engaged in the profession of teaching in Gwinnett County, persons serving in education support professional roles in Gwinnett County, retired teachers, retired educational support persons, pre-service education students, and persons interested in advancing the cause of public education.
- b. Members shall agree to subscribe to the objectives of the Association and to abide by its Constitution, Bylaws, NEA Code of Ethics, and such other policies as may be adopted.

Section 3. Rights of Membership

The Association shall not deny membership to individuals on the basis of race., age, creed, gender, religion, national origin, gender identity, sexual orientation, or disability.

Section 4. Due Process and Appeal

No member may be censured, suspended, or expelled without a due process hearing which shall include an appropriate appeal procedure.

Section 5. Membership Year

The membership year shall be from September 1st through August 31st. Membership shall be continuous until a member leaves the school district, resigns from the Association, fails to pay membership dues, or is otherwise terminated for cause.

Section 6. Property Interest of Members

All rights, title and interests, both legal and equitable, of a member to the property of the Association shall end upon the termination of such membership.

Article III. Legislative Authority

The authority to establish Association policies and objectives, amend the Constitution, adopt an annual budget, and to exercise final authority on all matters of the Association shall be

vested in the general membership of the Association or the Board of Directors as set forth in the Constitution and Bylaws.

Article IV. Officers

Section 1. Executive Officers

The Executive Officers of the Association shall consist of the President, Vice President, Recording Secretary, Communication Secretary, and Treasurer.

Section 2. Terms

The term of Officers shall be two (2) years, which shall commence on the day following the NEA Convention. Executive Officers may be elected to no more than two (2) consecutive terms to the same office. An Officer appointed due to a vacancy may serve in that capacity until the next Officer election. Cluster Leaders will be elected every 2 years.

Section 3. Nominations and Elections of Executive Officers

- a. All elections shall be by open self-nomination and secret ballot.
- b. Candidates for Executive Office shall be Active Certified or Active ESP members.
- c. The Association shall apply the one person-one vote principle for representation on its governing bodies. The Association is committed to maintaining inclusion and diversity of all members. Therefore, in accordance with the spirit of equity and justice, the Association affirmatively recommits to ensuring inclusion and diversity at all levels of elected and appointive governance, and membership of the Association.
- d. Candidates may run for one Executive Officer position and/or one Cluster Leader position.
- e. The election of Officers shall occur at such time to ensure that officers have been elected by April 30. Elected officers shall assume office and duties on the day following the NEA Convention. If the election is to fill a vacancy, the elected officer shall assume the office immediately.

Section 4. Vacancy

If a vacancy occurs in the office of President, the Vice President shall immediately assume the office and duties of the vacated office. A vacancy occurring in any other Office shall be filled by appointment of the President, with the Board of Directors approval, until the next regularly scheduled general election.

Section 5. Recall and Impeachment of Any Elected or Appointed Position

Members occupying elected or appointed positions may be impeached for wrongful conduct, gross negligence, or failure to fulfill the duties of office as outlined in the constitution and bylaws.

- a. Impeachment proceedings against a member occupying an elected or appointed position may be initiated by a majority vote of the Board of Directors.
- b. The Review Board (as outlined in Article V Section 4) will conduct a due process hearing within 10 standard business days of impeachment or recall. A majority vote of the Review Board shall sustain the charge(s), and the office shall become vacant.
- c. The member occupying the elected or appointed position may appeal the Review Board decision to the Board of Directors within 5 standard business days, which may, after a review of the record, reverse or modify, by a two-thirds vote, the decision of the Review Board at the next regular Board of Directors meeting.

Article V. Board of Directors

Section 1. Composition and Accountability

The Board of Directors (“Board”) shall consist of the Executive Officers of the Association, Cluster Leaders, and Standing Committee Chairpersons and shall function as the executive and representative authority of the Association. The Board shall be responsible for managing the affairs of the Association, approving the budget or modifications to the budget, carrying out the policies of the Association and conducting the business of the Association between general membership meetings. The Board shall have the authority to create additional Board positions as needed to ensure that members of the Association have an opportunity to participate in governance of the Association.

Section 2. Quorum

A quorum shall consist of a majority of the voting members of the Board of Directors.

Section 3. Meetings

The Board shall meet at least monthly during the school year.

Section 4. Review Board

The Board shall appoint, as needed, a Review Board of no fewer than five (5) and no more than seven (7) members to conduct due process hearings to resolve internal association grievances or to vacate any elected or appointed position. Members can appeal the Review Board's decision to the Board. The Board, by two-thirds vote, can uphold, modify, or reverse the decision of the Review Board.

Article VI. Executive Committee

Section 1. Purpose: To address issues between regularly scheduled meetings that require time sensitive actions and responses.

Section 2. Composition: The Executive Committee shall consist of the Executive Officers and may include up to two additional members elected through open nominations and secret balloting by and from the members of the Board of Directors.

Section 3. Accountability: The Executive Committee derives its powers from and shall be accountable to the Board.

Section 4. Meetings: The Executive Committee may meet and conduct the business of the Association between meetings as necessary. Meetings may be called by the President or by written request of a majority of the members of the Executive Committee. A quorum shall consist of a majority of the voting members of the Executive Committee.

Article VII. Amendments

The general membership may adopt amendments to the Constitution and the Bylaws by a majority vote of those voting, provided that the proposed Constitution has been introduced previously to the Board for approval and copies of the proposed Constitution have been distributed to all members at least two weeks prior to their vote.

BYLAWS

1. Membership

1.1. Membership Categories

Membership in the Association shall include all state-certified persons actively engaged in the profession of teaching in Gwinnett County, persons serving in education support professional roles in Gwinnett County, retired teachers, retired educational support persons, pre-service education students, and persons interested in advancing the cause of public education.

- a. Certified Teachers or Professionals. Active Certified membership shall be open to any person who holds or shall be eligible to hold a teaching, vocational, technical or service certificate required for their employment and is one of the following:
 - i. employed by a public school district or public school institution within Gwinnett County.
 - ii. on limited leave of absence from the employment in (i) above.

- iii. serving as release President and who meets the established dues requirement.
 - iv. laid off due to a reduction in force for as long as such persons are eligible to be recalled or for three (3) years, whichever is longer, and who meets the established dues requirement.
 - v. discharged and has a legal challenge to such discharge pending.
- b. Education Support Professional members (ESP). ESP membership shall be open to any Gwinnett County public school district or institution employee that is eligible for Active membership and has paid their required dues.
- c. Substitute Members. Substitute membership shall be open to any Gwinnett County public school district or institution employee who is employed on a day-to-day basis and has paid their required dues.
- d. Student Members. Student membership shall be opened to any pre-service student regularly enrolled in a Georgia secondary or post-secondary school and is interested in teaching as a profession-and has paid their required dues.
- e. Retired Members. Retired membership shall be opened to previously active members of the Association who have retired and who have paid the required dues assessment.
- f. Associate Members. Associate membership shall be open to any person who is interested in advancing the cause of public education in Gwinnett County who is not eligible for any other category of membership in the Association. Associate membership must be approved by the Board.

1.2. Rights and Limitations of Membership

The Board of Directors shall determine membership in the Association. The Association shall not deny membership on the basis of race, color, national origin, creed, gender identity, sexual orientation, age, disability, marital status, or income.

- a. Active Certified members shall be afforded all the rights and privileges of Association membership.
- b. ESP members shall be afforded all the rights and privileges of Active Certified membership, including the right to vote and to hold

elective or appointive positions within the Association.

- c. Substitute members shall receive Educators Employment Liability insurance coverage but cannot vote or hold elective or appointive office.
- d. Retired, Student, and Associate members shall not have the right to vote, or to hold elective or appointive position in the Association.
- e. All members shall be entitled to receive member reports and publications of the Association not covered by Board confidentiality and to participate in programs for which they are eligible.
- f. Any member whose professional or employment position changes shall be transferred to the category of membership applicable to the new position. The member shall not remain in a category of membership for which that member is no longer eligible.

1.3. Regular Membership Meetings

- a. There should be at least one meeting of the general membership each school year, scheduled by the Association President(s).
- b. Special meetings of the general membership may be called by the President(s), by majority vote of the Board of Directors, or by petition of at least twenty percent (20%) of the membership.

2. Duties of Officers and Cluster Leaders

2.1. President

- a. Prepare agendas and preside over the Association meetings
- b. Represent the Association on matters of Association policy.
- c. Appoint chairpersons to all committees.
- d. Serve as the chairman of the Fund for Public Education (PAC).
- e. Serve as an automatic delegate to any GAE or NEA Representative Assembly. The President must have been elected for the succeeding membership year to serve as an automatic delegate to the NEA Representative Assembly.
- f. Maintain the financial health of the Association by presenting a budget for approval by the Board of Directors and reviewing financial reports alongside

the Treasurer.

2.2. Vice President

- a. Vice President will preside over Association meetings in the absence of the President.
- b. Assist the President and Board of Directors in planning and carrying out Association activities.
- c. Have responsibility for the maintenance of membership databases.
- d. Perform other duties as delegated by the President.

2.3. Recording Secretary

- a. Transcribe and maintain accurate minutes of all official meetings of the Association. Minutes shall be kept a minimum of 5 years.
- b. Keep roll and record of attendees at officially called meetings
- c. Make records of roll and minutes for open meetings available to any members as requested.

2.4. Communications Secretary

- a. Notify members and committee members of meeting dates and supply documents as needed.
- b. Send and receive communications for the Association.
- c. Maintain and update social media sites.

2.5. Treasurer

- a. Maintain the bank accounts of the Association and disburse funds from them upon proper authorization by the President or by the Board of Directors.
- b. Maintain all financial records, receipts, reports, and other financial documentation. Financial reports will be kept for a minimum of seven years.
- c. Work with the President to prepare the annual Budget proposal to the Board of Directors

- d. Present a financial report to the Board of Directors at regularly scheduled Board meetings.
- e. Prepare travel budgets for Representative Assemblies and travel exceeding \$500 of Association funds.
- f. Serve as the liaison between the Association and any accounting firm hired by the Association to keep its books.
- g. Ensure that the Association's tax return is prepared by the Association's accounting firm within IRS deadlines.
- h. Enact policies, with Board Approval, to ensure the proper handling of Association funds.
- i. At the end of the fiscal year, present the annual financial statements to the Board of Directors no later than the October meeting.

2.6. Cluster Leaders

- a. Represent their Cluster on the Board of Directors by attending Board Meetings and the Georgia Representative Assembly. Leaders missing three (3) consecutive Board meetings or attending less than half of the Board meetings during the school year may be recalled and replaced on the Board by the President or Co-Presidents.
- b. Select and support Association Representatives in their Cluster.

2.7 Confidentiality Agreement

All members of the Board of Directors (Officers, Cluster Leaders, Standing Committee Chairs) must sign a Confidentiality Agreement at the first Board meeting of the school year.

3. Committees

The President shall appoint, with the consent of the Board of Directors, such committees as may be necessary to enact the policies and achieve the objectives of the Association. All committees shall receive specific charges from the President and shall either be discharged upon completion of those duties (Special Committees) or maintained on a continuous basis (Standing Committees). Standing Committees shall be: Elections, Fund for Public Education (PAC), Government Relations, Media/Communications, Organizing, and Review Board. Standing Committee Chairpersons serve on the Board of Directors.

4. Elections

4.1. Elections Committee

The President shall annually appoint an Elections Committee Chair who shall have the responsibility of conducting all nominations and elections. The Chair shall ensure that all elections adhere to election Bylaws. No member running for office may serve on the Elections Committee. The Elections Committee can disqualify a candidate for failure to follow Election Bylaws by majority vote.

4.2. Voting Principles

The Association shall apply the one-person-one-vote principle for representation on its governing bodies. All members shall have the right to nominate themselves, after meeting Association constitutional and bylaw requirements.

4.3. Endorsements

Current Association Officers cannot endorse a particular candidate running in a GCAE officers' election.

4.4. Campaign Media

The Elections Chairperson will provide members with access to information provided by GCAE officer candidates on the GCAE website. Candidates cannot use membership emails to solicit votes. Candidates can maintain their own personal websites or use printed media for campaign materials.

4.5. State and National Delegates

Local delegate elections for the GAE and NEA Representative Assemblies (RA) shall be conducted by open nomination and secret ballot and shall adhere to all other GCAE, GAE, and NEA guidelines. Candidates for NEA RA delegate shall have served on the Board of Directors or have served on a Committee during the current school year. Candidates for NEA or GAE RA delegate can be elected by acclamation if the number of candidates is equal to or less than the number of RA delegates assigned to the Association by NEA or GAE, respectively.

5. Finance

5.1. Dues

- a. No later than the September Board meeting, the President shall present a proposed budget to the Board of Directors.
- b. The Board of Directors will adopt a budget and a dues schedule sufficient to adequately fund the budget. The budget will be posted or sent to the general membership following approval by the Board of Directors.

5.2. Annual Review

The Treasurer will present an end of the previous fiscal year's financial report to the Board of Directors after the financial statements have been compiled by the Association's accounting firm.

5.3 Contracts

GCAE shall not contract or agree to do business with members of the Association or their family members unless there is prior approval by the Board of Directors.

6. Authority

6.1 State and National Affiliation

The Association shall comply with the affiliation requirements of GAE and NEA and shall make provision to review minimum affiliation standards at least once every five (5) years.

6.2 Parliamentary Authority

The most recent edition of Robert's Rules of Order shall be the governing authority on all matters of procedure not otherwise provided in this Constitution and Bylaws.