

# CONSTITUTION & BYLAWS OF THE COBB COUNTY ASSOCIATION OF EDUCATORS

## CONSTITUTION

### Preamble

We, the members of the Cobb County Association of Educators, have established this Association ~~in order~~ to achieve certain objectives that are paramount to individual and collective interests. Accordingly, the membership body shall be sovereign in all areas of organizational concern. Authority to represent member interests shall be delegated to the meetings of the ~~general membership~~ **Executive Board** and Governing Board, which shall constitute the Association's official governing bodies.

### Article I. Name, Purpose, Governance and Affiliation

#### Section 1. Name

The name of this organization shall be the Cobb County Association of Educators.

#### Section 2. Purposes

The purposes shall be:

- a. To promote quality education for all the students of Cobb County.
- b. To develop and promote the professional interests and concerns of members.
- c. To protect and strengthen the employment, human and civil rights of all members and to promote the interests of members of the profession without regard for race, ~~religion, sex, or national origin.~~ **color, national origin, creed, gender, sexual orientation, age, disability, marital status, or economic status.**
- d. To provide leadership and serve as the voice for **public** education in Cobb County.

#### Section 3. Governance

The association shall affiliate with the Georgia Association of Educators and the National Education Association 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, Education Support Professional, Substitute, Student, Retired, and such other categories as may be provided in the By-Laws.

### **Section 2. Membership Eligibility**

a. Membership, as provided by the By-Laws, shall be open to all persons actively engaged in the profession of teaching, persons serving in education support professional roles, retired teachers, retired education support professionals, ~~pre-service education students~~, and persons interested in advancing the cause of public education.

b. Membership shall be open as defined in paragraph (a.) to employees of the Cobb County School District and Marietta City School District.

c. Members shall agree to subscribe to the goals and objectives of the Association and to abide by its Constitution, By-Laws, the 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, ~~creed, sex, religion, national origin, gender, or sexual orientation~~. color, national origin, creed, gender, sexual orientation, age, disability, marital status, or economic status.

### **Section 4. Due Process and Appeal**

Members who fail to adhere to any of the conditions of membership shall be subject to disciplinary action, including but not limited to censure, suspension and expulsion. All members shall have rights to due process and appeal. A committee shall be established when necessary to conduct hearings and appeals.

### **Section 5. Membership Year**

The membership year shall be September 1 to August 31. 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 Interests of Members**

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

## **Article III. Legislative Authority**

### **Section 1. General Membership**

The authority to establish Association policies and objectives, amend the Constitution, adopt an annual budget, establish annual dues, and to exercise final authority on all matters of the Association shall be vested in the ~~general membership~~ **Governing Board** of the Association.

## **Article IV. Officers**

### **Section 1. Executive Committee**

The Executive Committee of the Association shall consist of the President, Vice-President, Secretary, and Treasurer.

### **Section 2. Terms of Office**

The terms of office for all officers shall be two years, **beginning on June 1 and**, ending on May 31.

### **Section 3. Nominations and Elections of Executive Officers**

- a. All elections shall be by open nomination and secret ballot
- b. All candidates for Executive Office shall be Certified or Education Support Professional members.
- c. The Association shall apply the one person-one vote principle for representation on its governing bodies except that the Association shall take such steps as are legally permissible to achieve ethnic-minority representation at least proportionate to its ethnic-minority membership.
- d. All members shall have the right to make nominations, or to be nominated for elective office. The election of officers shall occur at a called general membership meeting. Elected officers shall assume office June 1, unless the election is called to fill a vacancy, in which case, 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 President. A vacancy occurring in any other office shall be filled by appointment of the ~~Governing~~ **Executive** Board until the next regularly scheduled general membership meeting. At that meeting, and after two weeks for open nominations, a secret ballot election shall be held.

## **Article V. ~~Governing~~ Executive Board and Governing Board**

### **Section 1. Composition and Accountability**

The ~~Governing~~ **Executive** Board shall consist of the **four** officers of the Association, ~~CCAE-PAC Chair~~, and four (4) Directors elected annually at-large and shall function as the executive authority of the Association. The ~~Governing~~ **Executive** Board shall be responsible for managing

the affairs of the Association, approving budgeted expenditures, carrying out the adopted policies of the Association between general membership meetings. The ~~Governing~~ Executive Board shall have the authority to create additional Director positions as needed to provide at least proportional representation of ethnic-minorities, and proportional representation of non-supervisors and supervisors.

Marietta City School District members shall be guaranteed at least one (1) member on the ~~Governing~~ Executive Board. If a Marietta City School District member is not elected to the ~~Governing~~ Executive Board during the General Election then the ~~Governing~~ Executive Board shall appoint a member from Marietta City Schools and begin nomination and election process to elect a Marietta City School District member. At least two weeks shall be provided for open nominations and election provided by secret ballot. If there is only one candidate, the person may be elected by acclamation.

### **Section 2. Governing Board**

**The Governing Board shall consist of all Executive Officers, Executive Board Members, and Building Site Association Representatives. Each building site shall be entitled to a minimum of one voting Association Representative on the Governing Board. Additional Association Representatives with voting rights will be assigned for every 20 members per building site.**

### **Section 3. Meetings**

The ~~Governing~~ Executive Board shall meet at least monthly during the school year. **The Governing Board shall meet a minimum of eight (8) times per school year.**

### **Article VI. Dissolution**

The dissolution of Marietta City School District members from CCAE may be authorized with a 2/3 vote of the eligible members employed by the Marietta City School District and majority vote of the CCAE ~~Governing~~ Executive Board.

### **Article VII. Amendments**

The general membership may adopt amendments to this Constitution by a two-thirds majority vote and the By-Laws may be amended by a majority vote of those voting at any regular meeting provided that the amendments have been introduced at the preceding regular meeting and notice of the proposed amendments **have been** posted **with two weeks' notice** to the membership.

## **BYLAWS**

### **Section 1. Membership Categories**

Membership in the Association shall include Active, Education Support Professional, Substitute, Retired, **and** Associate **members.** ~~and Student Associate.~~

a. Active Members. Active membership shall be open to any person: (i) who is employed by ~~the or in a public school district, college or university, or other public institution devoted primarily to education, regardless of the specific nature of the functions that the person performs at the~~

~~work site and regardless of who actually employs the person; (ii) who is employed by a public sector employer other than a school district, college, or university, or other institution devoted primarily to education but who is employed primarily to perform education functions. Cobb County School District or the Marietta City School District.; (iii ii) who is on limited leave of absence from the employment described in items (i) ~~and (ii)~~ above; (iv iii) who is service as an executive officer of the Association and who meets the established dues requirements; or (v iv) who is serving as a half-time or greater release officer in a local Association and who meets the established dues requirements, unless retired under a public school retirement plan. The Association shall continue to allow Active membership to those Active members (i) who have been 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 or (ii) have been discharged for as long a legal challenge to such discharge is pending. Active members shall hold or shall be eligible to hold a baccalaureate or higher degree or the regular teaching, vocation, or technical certificate required by their employment.~~

b. Education Support Professional Members. Education Support Professional membership shall be open to any employee who is employed by the Cobb County School District or the Marietta City School District. ~~of a school district, college, or university, or other institution devoted primarily to education work~~ that is not eligible for Active membership.

c. Retired Members. Retired educators who have been Active and/or Education Support Professional members of the Cobb County Association of Educators shall become Retired members of the Association upon payment of the annual Retired membership dues.

d. Substitute Members. Unless otherwise provided herein, an education employee who is employed on a day-to-day basis who is not eligible for membership in the Active and/or Education Support Professional category shall have the option of joining the Association as a Substitute member, unless said employee is drawing education retirement benefits and is eligible for Retired membership.

e. Associate Members. Associate membership shall be open to any person who is interested in advancing the cause of public education in Georgia but is not eligible for any other category of membership in the Association.

~~f. Associate Student membership shall be open to any student in 9-12 grades demonstrating interest in pursuing a career in public education. Associate Student members shall be provided with education career materials, and such other materials and assistance as directed by the Association.~~

## **1-1 Rights and Limitations of Membership**

The ~~Governing~~ Executive Board shall determine membership in the Association. The Association shall not deny membership to individuals on the basis of race, color, national origin, creed, gender, sexual orientation, age, handicap, marital status, or economic status.

- a. Active, Education Support Professional, and Retired members shall be afforded all of the rights and privileges of membership including the right to vote and to hold elective or

appointed positions within the Association. Education Support Professional members shall have the right to be candidates for all executive offices without proportionality limitation.

- b. Substitute members shall receive Educators Employment Liability insurance coverage.
- c. Associate members shall not have the right to vote, or to hold elective or appointive positions in the Association.
- ~~d. Associate Student membership shall be open to any student in 9-12 grades demonstrating interest in pursuing a career in public education. Associate Student members shall be provided with education career materials, and such other materials and assistance as provided by the Association.~~
- d. All members shall be entitled to receive reports and publications of the Association and to participate in special services programs for which they are eligible.
- e. Any member whose profession or occupational 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.

## **1-2 Regular Membership Meetings**

- a. There shall be at least ~~four (4)~~ **eight (8)** meeting of the ~~general membership~~ **Governing Board** each year. The Association President shall schedule regular membership meetings.
- b. Special meetings of the ~~general membership~~ **Governing Board** may be called for by the President, by majority vote of the ~~Governing~~ **Executive** Board, or by petition of at least twenty (20) percent of the membership.
- c. Regular and special meetings of the ~~general membership~~ **Governing Board** require at least fourteen (14) days written notice to all members prior to the meeting. Notice may be provided via U.S. Mail, School Mail, CCAE Newsletter/Website, **CCAIE Facebook page**, or email.

## **2 Duties of Officers**

### **2-1 President**

- a. Preside over all Association meetings and prepare agendas.
- b. Represent the Association on all matters of Association policy.
- c. Serve as ex-officio member of all Association committees.
- d. Appoint chairpersons to all committees.
- e. Serve as an automatic delegate to the GAE and NEA Representative Assemblies.

### **2-2 Vice-President**

- a. Preside over all Association meetings in the absence of the President.
- b. Assist the President and ~~Governing~~ **Executive** in planning and carrying out Association activities.
- c. Serve as ex-officio member of all Association activities.
- d. Perform other duties as delegated by the President.

### **2-3 Secretary**

- a. Transcribe and maintain accurate minutes of all official meetings of the Association.
- b. Maintain all files of the Association.
- c. Perform other duties as delegated by the President.

### **2-4 Treasurer**

- a. Maintain the funds of the Association and disburse them upon proper authorization by the **Executive Board and** the Governing Board.
- b. Maintain all records, receipts, and appropriate documentation in order to substantiate disbursements.
- c. Maintain membership rolls.
- d. Prepare financial reports for meetings of the **Executive Board and** Governing Board and an annual financial statement for distribution to the general membership.

### **3 Committees**

The President shall appoint, with the consent of the **Executive** ~~Governing~~-Board, such committees as may be necessary to achieve the policies and goals of the Association. All committees shall receive specific charges from the President and shall be discharged upon completion of those charges.

### **4 Ethnic-Minority Representation**

The Association shall make every legally permissible effort to encourage the nomination and election of ethnic-minorities to the **Executive** ~~Governing~~-Board and the election of delegates to the Representative Assembly. In the event that the **Executive** ~~Governing~~-Board has proportionally fewer ethnic-minority members than their proportion of the Association's membership, the ~~Governing~~-**Executive** Board shall create the additional office(s) necessary to provide proportional representation.

### **5 Proportional Representation by Education Position**

The **Executive** ~~Governing~~-Board of the Association and its delegates to the Representative Assembly shall be composed of the same proportions of non-supervisors and supervisors as exist within the membership. In the event that the **Executive** ~~Governing~~-Board or Representative Assembly delegates do not reflect that proportionality, the Board shall create sufficient new offices to achieve proportionality. All members shall have the right to offer eligible nominations for the office(s) and for the delegate(s) to the Representative Assembly at its next regularly scheduled meeting. The election shall be conducted by secret ballot.

### **6 State and National Delegates**

Local delegate elections for the GAE and NEA Representative Assemblies shall be conducted by open nomination and secret ballot and shall adhere to all other GAE and NEA requirements.

## **7 Finances**

### **7-1 Dues**

At the first meeting *of the school year*, the general membership shall adopt a budget for the present membership year and a dues schedule sufficient to adequately fund the budget.

### **7-2 Audit**

There shall be an annual audit performed by an outside, independent auditor. The audit may be part of a report created as part of tax preparation if such tax preparation provides sufficient information to prepare an audit report. The audit report shall be provided to the general membership *during a meeting of the Governing Board*.

## **8 Authority**

### **8-1 State and National Affiliation**

The Association shall comply with all affiliation requirements of the Georgia Association of Educators and the National Education Association and shall make provision for a review to ensure compliance with minimum affiliation standards once every five (5) years.

### **8-2 Parliamentary Authority**

Robert's Rules of Order, Newly Revised shall be the governing authority on all matters of procedure not otherwise provided in this Constitution.

Proposed for State Affiliate review on June 22, 2022.