

2018 IEA Delegate Assembly

Proposed Changes to the IEA Constitution

The following proposed amendments to the IEA Constitution were presented for action by delegates at the 2018 IEA Delegate Assembly. For approval, Constitutional Amendments require approval by two-thirds majority of the delegates present as well subsequent approval by two-thirds majority of the active and retired members voting in an election.

Deletions in current language are noted by a ~~strike-through~~. Additions to current language are noted by an underscore.

Italicized portions of this document are to describe rationale and explanation and are not part of the proposals placed on the floor for action.

Explanation and Rationale: Constitutional Amendment #1 contains all amendments needed within the Constitution to ensure IEA's governing documents comply with the upcoming changes to the Labor Management Reporting and Disclosure Act. They will be voted on in their entirety to ensure inconsistencies do not arise within the IEA Constitution.

CONSTITUTIONAL AMENDMENT #1- Changes Necessary to Meet LMRDA Guidelines

IEA Constitution, Article II, Section 2

Section 2. Membership Provisions and Limitations--

a. Rights of Membership Classes.

(1) Active members may vote on all Association affairs including election of officers. They may hold any office, either elected or appointed. Any member who is a supervisor (administrator) on a permanent basis is ineligible to run for a state office.

[insert new letter e]

e. Member in Good Standing. A "member in good standing" includes any member who has fulfilled the requirements for membership and who has not voluntarily withdrawn nor been expelled or suspended by the association and has consistently paid their dues in a timely manner. However, if a member has been delinquent on a payment, that member will be granted a thirty day "grace period" in which the member will have the opportunity to make up any missed payments without losing their "good standing" classification.

IEA Constitution, Article III, Section 3 & Section 4

Section 3. Ex Officio Delegates-- The members of the Board of Directors, ~~the Region Presidents,~~ and the NEA/IEA Student President shall be ex officio delegates. No other ex officio delegate will be recognized. ~~Nothing in this section shall be construed to prevent an ex officio delegate from being elected as a delegate of the local association from which such officer is an active member, but no delegate shall have more than one vote.~~

Section 4. Recognition of Delegates— No delegate - except an ex officio delegate as defined in Section 3 - shall be recognized by the Delegate Assembly unless such delegate has been duly elected by a majority of the members of a local association or chapter voting in a referendum an election in accordance with IEA election guidelines.

IEA Constitution, Article IV, Section 1

Section 1. State Officers--The state officers of the Association shall be the president, vice president, the members of the Board of Directors elected by the Association regions, the member of the Board of Directors elected at large, the Educational Support Professional member elected at large, NEA/IEA Retired member(s), NEA/IEA Student member(s), the NEA Director and the Idaho member of the NEA Resolutions Committee. Any state officer candidate must have been a member in good standing for the previous twelve months upon declaring their intent to run for office.

The president shall be nominated according to procedures established by the Board of Directors, shall be elected by a ~~referendum~~ plurality vote of the active and retired members of the Association, shall begin the term of office on August 1 following election and shall serve for three years. The president may serve for 2 consecutive 3-year terms by re-election.

The president shall be the presiding officer of the Delegate Assembly and of the Board of Directors, may appoint a parliamentarian to serve at any meeting of the Delegate Assembly, and shall perform such other duties as usually devolve upon a president or as may be assigned by the Delegate Assembly or the Board of Directors.

The vice president shall be nominated according to procedures established by the Board of Directors, shall be elected by a ~~referendum~~ plurality vote of the active and retired members of the Association, shall begin the term of office on August 1 following election and shall serve for three years. The vice president may serve for 2 consecutive 3-year terms by re-election. If a vacancy exists in the office of president, the vice president shall succeed to the office of president.

At large members of the Board of Directors shall be nominated according to procedures established by the Board of Directors, shall be elected by a ~~referendum~~ plurality vote of the active members of the Association, shall begin the term of office on August 1 following election, shall serve for a term of three years, and shall be re-electable.

The NEA/IEA-R member(s) on the Board of Directors shall be nominated from the ranks of Idaho NEA/IEA-R member(s), shall be elected by a ~~majority referendum~~ plurality vote of the Idaho NEA-R membership and IEA Pre-Retired members for life in accordance with IEA election guidelines, shall begin the term of office on August 1 following election, shall serve for a term of three years, and shall be re-electable.

The NEA/IEA Student member(s) on the Board of Directors shall be nominated from the ranks of Idaho NEA/IEA Student members, shall be elected by a ~~majority referendum~~ plurality vote of the Idaho NEA/IEA Student members in accordance with IEA election guidelines, shall begin the term of office on August 1 following election, shall serve for a term of one year, and shall be re-electable.

The closing of nominations for any of the offices described in this section, with the exception of ~~the members of the Board of Directors elected by the Association regions and the NEA/IEA Student member on the Board of Directors~~, shall be two (2) months prior to the first day of each year's IEA Delegate Assembly. The closing of nominations for any special elections for any of the offices described in this section shall be determined by the IEA Board of Directors. ~~The closing of nominations for the IEA region Board members is at the discretion of the IEA regions.~~ The closing of nominations for the NEA/IEA Student member on the Board of Directors shall be governed by the provisions of the student chapter bylaws.

IEA Constitution, Article IV, Section 3

Section 3. Vacancies--In case of a vacancy in the office of vice president, the Board of Directors shall cause within 30 days after such vacancy occurs, at least one person to be nominated for the office of interim vice president and submit the name(s) of such nominee(s) to the active and retired members for a plurality referendum vote.

In case of vacancies in both the offices of president and vice president, similar procedures shall be followed. The officers so elected in all cases shall complete the unexpired terms; provided that should the vacancies in both offices of president and vice president occur, the Board of Directors shall elect from its own membership a president pro tempore to serve until a plurality referendum election as provided in this section is conducted.

When vacancies occur in the at-large position(s) on the Board of Directors, the Board of Directors shall cause at least one person to be nominated for the office(s) and submit the name(s) of such nominee(s) to the active members for a plurality referendum vote.

When a vacancy occurs in the NEA/IEA-R position on the Board of Directors, the Board of Directors shall cause at least one person to be nominated for the office and submit the name(s) of such nominee(s) to the NEA/IEA-R members and the Pre-Retired Lifetime members for a plurality referendum vote.

When a vacancy occurs in the IEA/NEA Student member position on the Board of Directors, a replacement shall be elected as provided for in the Bylaws of the IEA/NEA Student Program.

When vacancies occur in either or both the offices of NEA Director(s) for Idaho or the Idaho representative(s) on the NEA Resolutions Committee, the Board of Directors shall cause at least one person to be nominated for the office(s) and submit the name(s) of such nominee(s) to the active members for a referendum plurality vote.

An interim officer filling a vacancy by means other than a secret ballot election among the membership cannot cast a valid vote in an officer election as a delegate to a higher body; his or her votes will only count for non-officer election purposes.

The officers so elected shall complete unexpired terms only.

In case of a vacancy in a governance region's membership on the IEA Board of Directors, the IEA governance region shall fill the vacancy by a special election or the vacancy shall be filled at the next regular election, whichever is held first. The election shall be by the active members of the governance region and for the unexpired term of office.

A vacancy shall exist in any office of this Association when (1) an officer dies, (2) an officer resigns the office, (3) an officer is recalled, (4) an office ceases to be a member of this Association, (5) the membership of the officer is re-classified into a membership class that makes him/her ineligible to hold the office, (6) an officer enters public education service in another state, (7) an officer withdraws from the public education profession, (8) an officer is elected to and begins to serve in another association office prior to the expiration of his/her term. A vacancy also shall exist in the office of a Board of Directors person: (1) when the person enters service in an Association region other than the one in which the person served when elected, or (2) when a member of the Board of Directors, without a reason acceptable to the Board, is absent from two consecutive meetings of the Board of Directors.

IEA Constitution Article V, Section 1

Section 1. Membership--There shall be a Board of Directors which shall consist of the president, vice president, NEA Director, Idaho member of the NEA Resolutions Committee, one member elected at large, one Educational Support Professional member elected at large, at

least one, but no more than two, NEA/IEA-R member(s), at least one, but no more than two, NEA/IEA Student member(s), and such members from each Association region as shall be provided in the Bylaws; provided, however, that each Association region shall be entitled to at least two Board of Directors members. Any candidate for the Board of Directors must have been a member in good standing for the previous twelve months upon declaring their intent to run for office.

Section 3. Election and Terms of Members-- Members of the Board of Directors elected from each Association region shall be nominated according to procedures established by the Board of Directors and elected by ~~referendum~~ plurality ballot in the region. Board of Directors members shall serve for three-year terms which shall begin when the newly elected Board person has been officially seated at a Board of Directors meeting. Terms shall be so arranged that the members in any region shall be elected in different years.

IEA Constitution, Article VI

NEA Director - Resolutions Committee Member

The active members of the Association shall nominate, according to procedures established by the Board of Directors, at least one candidate for the office of Idaho Director of the National Education Association, and at least one candidate for NEA Resolutions Committee Member from Idaho. All candidates shall be active members. The names shall be submitted for a ~~referendum~~ vote of active members at the same time names of state officers are submitted.

The term of office for the Idaho Director of the National Education Association shall be for three years beginning on September 1 following the date of the ~~referendum~~ vote.

The term of office for the NEA Resolutions Committee Member from Idaho shall be for three years beginning immediately upon the election ~~referendum~~ vote results becoming official but no later than May 15 in the year of the ~~referendum~~ vote.

IEA Constitution, Article VII

~~Election by Acclamation / Election Write-in Provisions~~

The provisions of this Article and related election provisions in the IEA Bylaws apply to all IEA State Officers as described in this Constitution, Article IV, Section 1, Paragraph a with the exception of the NEA/IEA student member of the Board of Directors. After nominations are closed as provided in Article IV, Section 1, the nominees shall be made known to the IEA membership. Space for a write-in candidate will be provided on all ballots. ~~Anyone wishing to run a write-in campaign shall submit his/her name to the IEA Executive Director no later than one month prior to the first day of the IEA Delegate Assembly. If an individual submits his/her name to run as a write-in, a space for write-in shall be provided on the ballot. Votes cast for candidates who have not appropriately utilized the write-in process addressed in this article shall not be counted. If, less than one month prior to the first day of the IEA Delegate Assembly, a nominee's candidacy is uncontested, that nominee shall be declared elected by acclamation.~~

~~If, in the election of IEA state delegates to the NEA Representative Assembly, the number of candidates for delegate positions is equal to or less than the number of positions to be filled, elections are waived, and the candidate(s) declared elected by acclamation to the delegate positions in question. No write-in option is available in the election of IEA Delegates to the NEA Representative Assembly.~~

Explanation and Rationale: Constitutional Amendment #2 contains all amendments needed within the Constitution to ensure IEA's governing documents reflect a change in practice allowing retired and student members to form local chapters. These changes would also allow retired and student members to elect delegates to Delegate Assembly in a manner consistent with active members. They will be voted on in their entirety to ensure inconsistencies do not arise within the IEA Constitution.

CONSTITUTIONAL AMENDMENT #2- Relating to Retired and Student Chapters

IEA Constitution, Article III, Section 2

Section 2. Composition of the Delegate Assembly--The Delegate Assembly shall consist of one elective delegate from each local association or chapter for the first eight active or retired or student members provided for in Article XI of the Constitution and one additional delegate for each additional 20 active or retired or student members or major portion thereof, and ex officio delegates as provided in Section 3 of this Article III. The Bylaws shall define proportional representation and the term ethnic minority and assure appropriate representation in the Delegate Assembly.

Any local association or chapter, regardless of the aforementioned eight active or retired or student member provision, is entitled to at least one elective delegate. Thereafter, for additional elective delegates, the eight active or retired or student member provision and the provisions for additional delegates shall apply.

IEA Constitution, Article IV, Section 1

Section 1. State Officers--The state officers of the Association shall be the president, vice president, the members of the Board of Directors elected by the Association regions, the member of the Board of Directors elected at large, the Educational Support Professional member elected at large, NEA/IEA Retired member(s), NEA/IEA Student member(s), the NEA Director and the Idaho member of the NEA Resolutions Committee.

The president shall be nominated according to procedures established by the Board of Directors, shall be elected by a referendum vote of the active and retired and student members of the Association, shall begin the term of office on August 1 following election and shall serve for three years. The president may serve for 2 consecutive 3-year terms by re-election.

The president shall be the presiding officer of the Delegate Assembly and of the Board of Directors, may appoint a parliamentarian to serve at any meeting of the Delegate Assembly, and shall perform such other duties as usually devolve upon a president or as may be assigned by the Delegate Assembly or the Board of Directors.

The vice president shall be nominated according to procedures established by the Board of Directors, shall be elected by a referendum vote of the active and retired and student members of the Association, shall begin the term of office on August 1 following election and shall serve for three years. The vice president may serve for 2 consecutive 3-year terms by re-election. If a vacancy exists in the office of president, the vice president shall succeed to the office of president.

IEA Constitution, Article IV, Section 3

Section 3. Vacancies--In case of a vacancy in the office of vice president, the Board of Directors shall cause within 30 days after such vacancy occurs, at least one person to be nominated for the office of interim vice president and submit the name(s) of such nominee(s) to the active and retired and student members for a referendum vote.

IEA Constitution, Article XI

Local Associations and Chapters

Section 1. Active local associations shall consist of active members of the Association in any county, school district, institution, or group in Idaho, but not more than one such local competing for the same members may be formed in any school district or institution.

Section 2. Retired chapters shall consist of retired members of the association. All retired chapters must be officially recognized by the IEA Board of Directors.

Section 3. Student Chapters shall consist of student members of the association. All student chapters must be officially recognized by the IEA Board of Directors.

Section 4. Affiliation--Affiliation shall mean a relationship based on a reciprocal contractual agreement between the Association and an organization involved with or interested in education. Affiliation may be renewed.

Section 5. Ethnic-Minority Representation--Affiliates of the Association shall take all reasonable steps to assure that their elective and appointive bodies have ethnic-minority representation at least proportionate to the ethnic-minority membership of the affiliate.

Section 6. Classes--The two (2) classes of affiliates shall be governance and nongovernance.

- a. The governance class shall comprise local affiliates or chapters exclusively.
- b. The nongovernance class shall comprise all other affiliated professional and nonprofessional organizations.

Section 7. Rights of Active or Retired or Student Members in Governance Affiliates--Each governance affiliate shall guarantee its active or retired or student members an open nomination procedure and a secret ballot except as otherwise provided in this Constitution or in the Bylaws. No governance affiliate shall discriminate against its active or retired or student members in their right to vote, seek office, or otherwise participate in the affairs of the affiliate, or other governance affiliates, or of the Association.

Section 8. Standards and Procedures for Affiliation—Affiliates or chapters which fail to comply with standards and procedures set forth in the Bylaws shall be subject to censure, suspension or disaffiliation as prescribed in the Bylaws.

Section 9. Special Interest Groups--Any organized group of Association members having a common interest or purpose may be recognized as a Special Interest Group, provided such group is not eligible for any other class of affiliation.

Section 10. New Locals and Chapters --New local associations or chapters or divisions of old associations or chapters shall in all instances require the approval of the Board of Directors.

Section 11. Affiliation--The Board of Directors of this Association shall establish guidelines and procedures for the affiliation of local associations and chapters and may at its discretion disaffiliate a local or region association or chapter for just cause.