



## 2021 CONSTITUTIONAL AMENDMENTS

**The following amendments to the Constitution of the Louisiana Association of Educators are submitted to the Representative Assembly by the Constitution, Bylaws and Rules Committee**

**[The rationale for each proposed amendment is set forth in brackets following each proposed amendment.]**

### **AMENDMENT NO. 1:**

**Amend the Preamble to read:**

#### **PREAMBLE**

We, the members of the Louisiana Association of Educators, in order that this Association may serve as the unified voice for education in this state, advance the cause of public education for all individuals, promote the health and welfare of children, promote professional excellence among educators, gain recognition of the basic importance of the teacher in the learning process and other employees in the educational effort, protect the rights of educational employees and promote their interests and welfare, advance the standards and working conditions of the education community, secure professional autonomy, secure adequate funding for public schools, unite educational employees for effective citizenship, promote and protect human and civil rights, and obtain for its members the benefits of a united education profession, do hereby adopt this Constitution.

#### **RATIONALE**

[LAE is frequently involved in litigation concerning the funding of public education in Louisiana (e.g., the 2012 litigation concerning funding of private schools with MFP dollars). At times, issues arise concerning whether such litigation is within the purposes for which LAE was organized. This amendment makes it clear that one of LAE's goals, objectives and purposes is to "secure adequate funding for public schools".]

#### **LAE BOARD OF DIRECTORS-SUPPORT**

### **AMENDMENT NO. 2:**

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Words in ~~struck through~~ type are deletions from current Constitution; words underscored are additions.

**Amend the ARTICLE I., Section 2 to read:**

**Section 2. Affiliation.**

This Association shall be affiliated with the National Education Association (“NEA”) and shall meet NEA’s minimum affiliation standards.

**RATIONALE**

**[This proposed amendment clears up any issue with what the term “NEA” means throughout the Constitution.]**

**AMENDMENT NO. 3:**

**Amend the ARTICLE II., Section 2 to read:**

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

- a) Criteria set forth in the Bylaws shall determine the rights and privileges of members in each of the several classes, provided that the Bylaws relative to membership shall be consistent with the membership classifications and requirements in effect under the bylaws of the National Education Association.
- b) Membership, as provided in the Bylaws, shall be open to all persons actively engaged in the profession of teaching or in other educational work or to persons interested in advancing the goals and objectives of the Association and who agree to abide by its Constitution and Bylaws.
- c) All Members of the Association engaged in teaching or in other educational work shall adhere to the Code of Ethics of the Education Profession and any policy adopted by the Representative Assembly or Board of Directors pursuant to the Constitution and Bylaws.
- d) The Association shall not deny membership on the basis of race, religion, national origin, ~~or~~ gender, or sexual orientation nor shall any organization which so denied membership be affiliated with the Association.

**RATIONALE**

**[Recently, issues have arisen with respect of the obligations of membership in LAE. This amendment makes clear that membership in the Association is open to persons who are interested in advancing the goals and objectives of the Association and who agree to abide by its Constitution and Bylaws. The amendment recognizes that membership in the Association requires adherence to certain principles. In that regard, members of the**

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Association must adhere to the Code of Ethics of the Education Profession as well as any policy adopted by the Representative Assembly or Board of Directors pursuant to the Constitution and Bylaws. Finally, paragraph d) was amended to make clear that the Association will not deny membership on the basis of sexual orientation and will not affiliate with any local that does.]

**LAE BOARD OF DIRECTORS-SUPPORT**

**AMENDMENT NO. 4:**

Amend ARTICLE VI. to read:

**ARTICLE VI. NEA DIRECTORS**

~~Should the LAE be entitled to two or more members of the NEA Board of Directors, the LAE shall adhere to the NEA Constitution and Bylaws affording proportional representation for ethnic minorities.~~

**Section 1. Voting Rights.**

Only active members of the Association (as defined in Article 2-1(b) of the Bylaws of the Association), may vote for members of the NEA Board of Directors.

**Section 2. Proportional Representation.**

If the Association is entitled to two or more members on the NEA Board of Directors, the Association shall adhere to the NEA Constitution and Bylaws affording proportional representation for ethnic minorities.

**RATIONALE**

[This amendment recognizes that only active members of the Association may participate in elections for the NEA Board of Directors and requires proportional representation by ethnic minorities if LAE is entitled to more than one seat on the NEA Board of Directors.]

**LAE BOARD OF DIRECTORS-SUPPORT**

**AMENDMENT NO. 5:**

Insert a new Article IX., Section 6 to read:

**Section 6. Records and Finances of Affiliates**

As a condition of affiliation, local affiliates of the Association shall upon request of the

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Association: (a) permit the Association access to all records of the affiliate (including, but not limited to, governance documents, financial records, and membership records), and (b) permit the Association, or its designee, to audit the books of the affiliate. Any affiliate, officer of an affiliate or member of an affiliate who fails or refuses to permit such access shall be subject to censure, suspension, or disaffiliation by a Review Board appointed pursuant to the rules and procedures adopted by the Board of Directors to govern Review Board proceedings.

### **RATIONALE**

[Financial issues (including the misappropriation of funds by individuals in local associations) continues to be a problem. This proposed amendment allows LAE to access the records of local affiliates and conduct audits of the books of local affiliates. It also provides for the discipline of local affiliates, their officers, and members for refusing access to such books and records.]

### **LAE BOARD OF DIRECTORS-SUPPORT**

#### **AMENDMENT NO. 6:**

Amend the ARTICLE X., Section 1 to read:

#### **Section 1. Constitutionally Authorized Committees.**

The Constitutionally authorized Committees of this Association shall be the Executive Committee, Credentials and Appraisal Committee; the Constitution, Bylaws and Rules Committee; the Program and Budget Committee; the Elections Committee; the Professional Rights and Responsibilities Committee; the Women’s Concerns Committee; and the Minority Affairs Committee.

### **RATIONALE**

[This amendment corrects a prior oversight in not recognizing the Executive Committee as a constitutionally authorized (or standing committee) of the Association.]

### **LAE BOARD OF DIRECTORS-SUPPORT**

#### **AMENDMENT NO. 7:**

Insert a new paragraph c) in Article XII. to read:

- c) Reviewing any proposed amendments to ensure compliance with the LAE and NEA constitutions in the governing documents of local affiliates prior to such proposed amendments being submitted for action by the membership of a local affiliate;

Renumber remaining Paragraphs of ARTICLE XII.

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**RATIONALE**

[This amendment corrects an issue relative to the submission of amendments to the constitutions of local affiliates. Currently, such amendments are submitted for approval by the Constitution, Bylaws and Rules Committee only after local affiliates have approved them. If rejected by the Constitution, Bylaws and Rules Committee, the local affiliate will have expended time, effort and money in holding an election only to have the amendments potentially rejected by the Committee. The amendment requires the submission of proposed amendments to ensure compliance with the LAE and NEA constitutions prior to amendments being submitted for action by the membership of a local affiliate. It is anticipated that this will correct the problem.]

**LAE BOARD OF DIRECTORS-SUPPORT**

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