



Constitution and Bylaws

ALBUQUERQUE PUBLIC SCHOOLS EDUCATIONAL
ADMINISTRATORS AND SUPPORT PERSONNEL
ASSOCIATION - APPROVED MAY 2018

Albuquerque Public Schools
Educational Administrators & Support Personnel Association
PO Box 3098, Albuquerque, NM 87190

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Constitution of the Albuquerque Public Schools Educational Administrators and Support Personnel Association (EASPA)

PREAMBLE

The Professional Administrative and Support Personnel employees of the Albuquerque Public School District (herein as “the District” or “Albuquerque Public Schools”), having great interest in and concern for the continuing mission, goals, purposes, and functions of the District, and seeking active representation and involvement in the affairs of the District, do hereby establish the Albuquerque Public Schools Educational Administrators and Support Personnel Association.

ARTICLE I – NAME

The name of the body will be the Educational Administrators and Support Personnel Association (herein as “EASPA,” or the “Association”).

ARTICLE II – AUTHORITY

EASPA will function under this constitution as approved by dues-paying employees of Albuquerque Public Schools in Administrative and Staff Support positions; and shall continue to do so until such time as EASPA dissolves itself and/or becomes irreparably insolvent.

ARTICLE III – PURPOSE

Section 1

EASPA is organized to serve as the representative body for professional administrative and support staff employees of Albuquerque Public Schools as established and to participate in such policy matters of the institution as may affect its constituents.

Section 2

EASPA will function for the welfare of the District and for the employees it represents. It will develop and promote professional development and service projects. It will actively participate in current developments and issues that are relevant to the professional administrative and support employees of the District.

Section 3

EASPA will function as an advisory and policy referral body to the District administration and to the professional administrative employees of the District.

Section 4

EASPA neither supplants nor supersedes any organization of employees now in existence or to be formed in the future.

Section 5

No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation that is not related to the purpose as presented in Sections 1-4 of this article and presented and approved by the membership in advancement of the cause of the membership as a whole.

Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an entity exempt from federal income tax under section 501(c)(5) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

ARTICLE IV – AMENDING THE CONSTITUTION

Section 1

Amendments to this constitution must be submitted in writing to the Executive Board at a regularly scheduled meeting.

Section 2

Amendments must be approved by a two-thirds (2/3) vote of the Executive Board.

Section 3

After approval by EASPA Executive Board, the amendments will be submitted to a ratification vote of all the professional administrative and support employees of the District at a regular EASPA General Meeting. All amendments must be read to the membership one meeting before the final vote or delivered by written notice twenty (20) days before the final vote.

Section 4

Amendments will take effect immediately upon ratification by two-thirds (2/3) vote of the professional administrative and support staff employees present at such meeting.

Bylaws of the Albuquerque Public Schools Educational Administrators and Support Personnel Association (EASPA)

ARTICLE I – MISSION AND PURPOSE

Section 1 – Mission

It is the mission of EASPA to advocate for, and to provide a systematic means for - professional staff to communicate risks and concerns about the work environment and items regarding staff compensation with the Superintendent of the District; the Superintendent's Designee(s), and members of Executive Leadership as the Superintendent designates; as identified as related to the needs of the EASPA membership.

Section 2 – Organization

EASPA is organized to serve as the representative body for professional administrative employees and support staff of Albuquerque Public Schools as outlined in and in adherence to the APS "Meet and Confer" Board Policy and Administrative Directive, and to participate in such policy matters of the institution as may affect its constituents. EASPA will function as an advisory and policy referral body to the District administration for the professional administrative and support employees of the District.

Section 3 – Function

EASPA will function for the welfare of the District and for the employees it represents. It will propose and undertake efforts towards that purpose. It will actively participate in current developments and issues that are relevant to the professional administrative and support employees of the District.

Section 4 – Non-Discrimination Policy

EASPA will comply with state and federal regulations in support of equal opportunity and affirmative action and does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, or disability.

ARTICLE II – MEMBERSHIP

Section 1 – Eligibility

All professional administrative employees who hold at professional or administrative staff assignment as identified within the Administrative Staff Schedule during the academic year (excluding those in Executive Leadership schedules (ESE)), that have elected for payroll enrollment are eligible for membership on EASPA.

Section 2 – Distribution of Members

EASPA will consist of members, not otherwise represented by bargaining groups or other professional staff associations in full effort to represent, at a minimum, each of the District’s administrative staffing schedule designations.

The administrative and professional staffing schedules areas are as follows (subject to change along with APS Administrative Staff Salary Schedule structure):

- I. Managerial Staff and Supervisors (MSE/MSN)
- II. Professional Staff (PSE/PSN)
- III. Computer Technical Management and Staff (CSE/CSN)
- IV. Executive Assistant Staff (ESN)

An Association member whose position is reassigned by the District to an administrative unit different from the one in which she or he was elected will be allowed to complete the remainder of the year as a member of EASPA without payroll requirement, if they so choose.

Section 3 – Executive Board of Directors

The Executive Board should, but is not required to, consist of members from each of the four-defined administrative and professional staffing schedules as defined under Article II, Section 2, item II

Qualifications for service should include employment as defined under Article II, Section 2, item II for one year and active payroll enrollment in EASPA

The number of directors of the Association shall be no less than seven (7); the four elected officers, the past president and at least two (2) members elected at large.

All officers shall be currently active members of EASPA.

Section 4 – Board of Directors Term of Service

Each member will be elected for a one-year term that will begin July 1. Newly elected members will attend a transition meeting with current members each June. All members are permitted to be elected to two (2) consecutive terms; this does not include completing a vacated term as described in Section 5 of this Article.

Section 5 – Vacancies

In the event a member is not able to complete his or her term of office, a new member shall be appointed by EASPA Executive Board Chair. EASPA Executive Board membership must ratify this appointment with a 2/3 vote. The new member will serve the remainder of the vacated term of office and still be eligible to run for two additional Association terms of office.

Section 6 – Member Removal

A member may be removed from EASPA for just cause by a three-quarters (3/4) vote of Association members.

Before such a vote can be taken, the member in question must receive written notification of the intent of removal from the President. The member will be given ten (10) business days to respond in writing before a vote is taken. Responses from the member must be shared with EASPA prior to a vote being taken at a regularly scheduled meeting.

Section 7 – Dues and Fees

Enrollment in EASPA is by election of the employee to payroll deduction through application and certification to the APS Board of Education and EASPA. The APS Board assumes no responsibility in connection with the authorized deduction except to act as remitting agent in forwarding the amount deducted to EASPA.

Annual Dues are to be set by the Executive Board of Directors, given the available resources and intent in the academic year. The annual dues are deducted on a per-pay-period basis for 24 pay periods, or an equivalent schedule given the Albuquerque Public Schools payroll frequency for the represented salary schedule.

Modifications to the Annual Dues must be presented and approved by the Board of Directors and presented for a vote by the membership at the next EASPA general meeting. Following an affirmative vote, the approved General Meeting minutes must be presented to APS Human Resources Division for Labor Relations, and to the Finance Department for modification of payroll.

Section 8 – Annual Meeting

A general membership meeting shall be held annually during the month of April or May at a time and place designated by the Board of Directors for election of officers and the transaction of such business as may properly come before the membership.

Section 9 – Special Meetings

Special meetings shall be called at the discretion of the Board of Directors. Special meetings may also be called by a group of members having 25% of the Association membership entitled to cast votes.

Section 10 - Notice of Meetings

Written notice stating the place, date and hour of the meetings shall be delivered by U.S. Mail or inter-school mail not less than seventy-two (72) hours or more than fifty (50) days before the date of the meeting.

Section 11 - Waiver of Notice

Attendance at any meeting by a member shall constitute a waiver of notice of the meeting, except where a member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Section 12 - Voting

All active members whose dues are in good standing are entitled to one vote. Issues requiring the approval of the membership will be decided by a majority of members attending a general membership meeting.

ARTICLE III – OFFICERS

Section 1 - President

- I. The President will:
 - a. Be at least a second-year member of EASPA
 - b. Be elected by a majority vote of EASPA prior to the July meeting.
 - c. Serve a one-year term from July 1 to June 30.
- II. Duties of the President are to:
 - a. Schedule, call, and preside over all Association and EASPA Board of Directors meetings.
 - b. Appoint Association committees and liaisons except Nominating and Auditing committee.
 - c. Prepare meeting agendas and distribute them to Association members at least three (3) business days prior to Association meetings.
 - d. Preside over the election of the officers of EASPA.
 - e. Ensure that the constitution, bylaws, and procedures of EASPA are followed.
 - f. Perform other duties as customarily pertain to the office of Chair, including by not limited to, representing EASPA at Board of Education and Superintendent Meet and Confer.

Section 2 – Vice-President

- I. The Vice President will:
 - a. Be elected by a majority vote of EASPA prior to the July meeting.
 - b. Serve a one-year term from July 1 to June 30.
- II. The duties of the Vice President are to:
 - a. Assume Responsibilities of the President in the absence of the President
 - b. Assume the duties of Chair for the unexpired term in the event the President is unable to complete the term of office.
 - c. If the treasurer is absent provide monthly update of Association accounts.
 - d. Serve as Chair of the Bylaws Committee
 - e. Assume the role of President the following year.

Section 3 - Treasurer

- I. The Treasurer will:
 - a. Be elected by a majority vote of EASPA prior to the July meeting.
 - b. Serve a one-year term from July 1 to June 30.
 - c. The duties of the Treasurer are to:
 - d. Conduct Association business in the absence of the President and Vice President.
 - e. Maintain accurate records of all Foundation and Operational accounts.
 - f. Manage day to day financial transactions of EASPA.

Section 4 – Secretary

- II. The Secretary will:
 - a. Be elected by a majority vote of EASPA prior to the July meeting.
 - b. Serve a one-year term from July 1 to June 30.
 - c. Duties of the Secretary are to:
 - d. Conduct Association business in the absence of the President, Vice President and Treasurer.
 - e. Prepare and distribute minutes from all Association meetings within ten (10) business days of Executive Board approval of Association meetings.
 - f. Serve as Chair of the Elections Committee

Section 5 – Officer Vacancies

If the President cannot complete his or her duties, the Vice President will become Chair and a new Vice President will be elected. In the event that the Vice President cannot complete his or her duties, a current member of EASPA will be elected by a majority vote to complete the term. If the Secretary or Treasurer or a Member-at-large cannot complete his or her duties, EASPA will elect a member from the current Association, by majority vote, to complete the term of that officer.

Section 6 – Officer Removal

An officer may be removed from office for just cause by a two-thirds (2/3) vote of Association.

Before such a vote can be taken, the officer in question must receive written notification of the intent of removal from the ranking Executive Committee member not up for removal. The officer in question will be given five (5) business days to respond in writing before a vote is taken. Responses from the officer in question must be shared with EASPA prior to a vote being taken at a regularly scheduled meeting.

Removal from an officer role does not remove the member from EASPA. A separate vote in accordance with Article II – Section 5 must be completed to remove the officer from EASPA.

Section 7 – Stipends for Elected Board Officers

By vote of the EASPA membership, Spring 2007, it is agreed that the EASPA organization pay the Elected Board Officers a token stipend for their willingness to participate in EASPA at Board Officer level.

Stipends will be granted on an annual basis at the beginning of the fiscal year, July 1, and only once during an academic year.

- I. The following are the offices and stipend to be given to the person holding that office:
 - a. President, \$200;
 - b. Vice-President, \$200;
 - c. Secretary, \$200;
 - d. Treasurer, \$200;
 - e. Past President, \$100;
 - f. Member At Large, \$100.

ARTICLE IV – AUTHORIZED EASPA COMMITTEES

Section 1 – Standing Internal Committees

- I. Bylaws
 - a. Chaired by the Vice-President of EASPA.
 - b. Provide an annual review of Association Bylaws and make recommendations for necessary changes prior to the EASPA General Meeting.
 - c. Accept proposed amendments and changes to the constitution and bylaws made by Association members during the year.
- II. Elections/Nominations
 - a. Chaired by the Secretary of EASPA.
 - b. Carry out election process as outlined in Article VII of Association bylaws.
- III. Scholarship
 - a. Chaired by Treasurer of EASPA
 - b. Prepare an annual review of eligible students to receive the David Libertore scholarship
 - c. Prepare and update qualification materials for distribution to Albuquerque High School
- IV. Marketing
 - a. Chaired by Appointee
 - b. Correspond with Association members to develop goals for the upcoming year.
 - c. Maintain EASPA Technological resources.
 - d. Market EASPA mission to the District.
 - e. Gather and present proposals for the Annual Social

ARTICLE V – EXECUTIVE BOARD MEETINGS

Section 1 – General Powers

The business and affairs of the Association shall be managed by the Board of Directors. The Board of Directors shall have control and management of the business and affairs of the Association.

The directors shall in all cases act as a Board, regularly convene, and, in the transaction of business, take action as a majority present. The Board of Directors shall make decisions regarding rules and regulations or the conduct of their meetings and the management of the Association as they may deem proper, not inconsistent with law or these by-laws. All directors shall be currently active members in the Association.

Section 2 - Frequency

Regular Board meetings should be held one week prior to the Meet and Confer with the Superintendent and their designee. An agenda should be produced and presented to the Superintendent following approval by the board within 24 hours.

Section 2 – Quorum and Notice

In order for a quorum to exist, a majority of EASPA Officers must be present.

Notice of any meeting shall be given at least seventy-two (72) hours previously thereto to each director. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting except that where a director attends a meeting for the express purposes of objecting to the transaction of any business because of a meeting not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting of the Board of Directors need to be specified in the waiver of notice of such meeting.

Section 3 – Attendance

If an Executive Board member misses two consecutive Association meetings, the President will contact the member prior to the third meeting to determine his/her intent to continue his/her term. Failure to attend three consecutive meetings will be considered a resignation if affirmed by a majority vote of EASPA. The President will notify EASPA member in writing that the position has been declared vacant.

Section 4 – Order of Business

The President will determine the order of business for each meeting and ensure that the agenda for each meeting is distributed to Association members at least five (5) business days in advance of all regular meetings.

Section 5 – Special Meetings

Special meetings of the Board of Directors may be called by or at the request of the president at any time. The president or secretary shall, upon a written request of any two (2) directors, call a special meeting to be held not more than seven (7) days after the receipt of such a request. The president may fix any place, either within or without the District, for holding any special meeting of the Board of Directors.

Section 6 - Manifestation of Dissent

A director who is present at a meeting of the Board of Directors at which action on any Association matter is taken shall be presumed to have assented to the action taken unless his / her dissent shall be entered in the minutes of the meeting or unless he/she shall file his / her written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Association immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who vetoed in favor of such action.

Section 7 - Vacancies

Any vacancy occurring in the Board of Directors may be filled by the affirmative vote of a majority of the remaining directors. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

Section 8 – Committees

The Board of Directors by resolution may designate from among its members an executive committee and one (1) or more other committees each of which, to the extent provided in the resolution, shall have the authority of the Board of Directors

The designation of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed by law.

ARTICLE VI – ASSOCIATION ELECTIONS

Section 1 – Pre-Election Procedures

- I. Prior to the election of new representatives, the Secretary will obtain a list of professional administrative employees from the Human Resources office.
- II. The Secretary will convene the Elections Committee by March 1 in order to:
 - a. Review election procedures and determine vacancies.
 - b. Determine specific dates for nominations and elections.
 - c. Prepare nomination forms and election ballots.
 - d. Notify all professional administrative employees of the District as to the deadlines for the next election and procedures for the nomination of members to fill Association vacancies.
 - e. If election of the officers is not held at such meeting, such election shall be held as soon after as may be convenient. Each officer shall hold office until a successor has been duly elected and qualified. Nominations for elective officers shall be made by a nominating committee and shall present the slate for the president-elect, first vice-president, second vice-president, secretary and treasurer. After approval by the Board of Directors the nominating committee shall present to the membership by mail, the names of those nominated for the respective offices of the Association no less than ten (10) days prior to the election. Additional nominations may be made from the floor at the time of the election. The term of office shall be for one (1) year. Officers shall be elected by plurality.

Section 2 – Nominations

- I. All professional administrative employees of the District may nominate candidates
- II. Candidate eligibility will be determined by the Elections Committee.
- III. Nominations shall be made using the form authorized by the Elections Committee.
- IV. Candidates will be required to indicate their willingness to serve in order to be listed on the ballot.

Section 3 – Voting

- I. All professional administrative employees who hold at least a .50 FTE professional or administrative assignment during the academic year (excluding the president, vice presidents, and deans in Academic Affairs) are eligible to vote in elections.
- II. Voting-eligible employees may vote for representatives from all administrative units.
- III. Any voting employee may provide write-in candidates.
- IV. The Elections Committee shall supervise ballot counting and announce election results by the end of May.

Section 4 – Incomplete Ballot

In the event that no person is elected to fill a given vacancy, EASPA Chair shall appoint a member to serve the two-year term, with preference given to appointing a staff member from the area for which the vacancy exists. Voting members of EASPA must ratify the appointment with a two-thirds (2/3) vote.

ARTICLE VII – LEGAL AND CONSULTANT COUNSEL

The Association may, by majority vote of the Directors, employ outside counsel to assist in research, planning, and general consultation. The salary and length of contract for the Association counsel shall be determined by a majority vote of the Board of Directors, but in no event shall said contract extend beyond one calendar year. When necessary, the Board of Directors may engage legal counsel to assist individual Association members in their official capacity.

ARTICLE VIII – AMENDING THE BYLAWS

The bylaws may be amended by a majority of voting Association members present at any regular business meeting. Changes in the bylaws must be read to the membership one meeting before the final vote or delivered by written notice 20 days before the final vote. Amendments to the bylaws will take effect immediately upon approval by the Association members.

ARTICLE IX - POSITION OF EASPA MANAGER

EASPA Board of Directors may retain an Executive Manager.

The Manager will be paid an annual stipend not to exceed \$5,000. It is the intent of the Board and EASPA membership that this position be filled by a person not a current APS employee or EASPA member. (2007)

Duties as defined for the EASPA manager by Executive Board Leadership should involve duties not under noted responsibilities of Executive Board members.