



**UTAH EDUCATION ASSOCIATION
ARTICLES OF INCORPORATION,
CONSTITUTION, and BYLAWS**

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ARTICLES OF INCORPORATION
of the
UTAH EDUCATION ASSOCIATION
A Nonprofit Corporation

We, the undersigned natural persons of the age of 21 years or more, for the purpose of continuing in existence a prior existing nonprofit corporation and acting as incorporators of a corporation under the Utah Nonprofit Corporation and Cooperative Association Act, adopt the following Articles of Incorporation for such corporation:

ARTICLE I--NAME

The name of the corporation is the "Utah Education Association."

ARTICLE II--DURATION

The period of its duration is perpetual.

ARTICLE III--PURPOSES

This corporation shall be a nonprofit corporation. It shall be an association of professional educators having as its general purpose the promotion of public education and the advancement of its members professionally, economically, and socially.

ARTICLE IV--MEMBERSHIP

The corporation shall have the classes of members set forth in the Constitution and Bylaws. The Constitution and Bylaws shall establish terms and conditions for membership.

ARTICLE V--OFFICERS

Section 5.1 Officers. The officers of the Association shall be established in the Constitution.

Section 5.2 Qualifications, Terms and Duties. The officers shall have such qualifications, terms of office, and duties as may be established by the Constitution and Bylaws.

Section 5.3 Selection of Officers. The officers of the Association may be selected or elected in the manner and at the times specified by the Bylaws.

ARTICLE VI--BOARD OF DIRECTORS

Section 6.1 Powers and Duties. The Board of Directors: (1) shall manage the business of the Association so as not to conflict with the directions adopted by the House of Delegates; (2) may employ such persons or contract for services as necessary; (3) is responsible for the financial affairs of the Association, and shall submit a financial report to the membership.

Section 6.2 Composition. The Board of Directors shall be comprised of the persons prescribed in the Constitution.

Section 6.3 Qualifications. The members of the Board of Directors shall have the qualifications as may be prescribed by the Constitution and Bylaws.

ARTICLE VII--HOUSE OF DELEGATES

Section 7.1 Composition. The House of Delegates shall be comprised of the members prescribed in the Constitution and Bylaws.

Section 7.2 Powers. The House of Delegates shall be the legislative body of the Utah Education Association. It shall have the sole power to enact, amend, or rescind the Bylaws of the Association, to determine the policies to be carried out by the Board of Directors, and impeach the officers or members of the Board of Directors.

Section 7.3 Organization and Procedure. Subject to the Constitution, the House of Delegates shall have power to provide for its organization and procedure.

ARTICLE VIII--CONSTITUTION

The Constitution shall be the fundamental document governing the structure and operation of the Association as now enacted and hereafter amended by the members of the Association.

The Constitution may, by vote of the membership, be enacted, amended, or revoked as provided in the Constitution.

ARTICLE IX--BYLAWS

The Bylaws shall be adopted by the House of Delegates and may deal with the matters of the Association not controlled by the Constitution.

Bylaws may, by vote of the House of Delegates, be enacted, amended, or revoked and subject to review or initiation by the Board of Directors as provided in the Bylaws.

ARTICLE X--SUPREMACY CLAUSE

The Constitution shall prevail over conflicting provisions of the Bylaws or any other rule, direction, or guideline of the Association, except the Articles of Incorporation.

ARTICLE XI--INITIATIVE--REFERENDUM--RECALL

The Constitution and Bylaws may provide for initiative, referendum, and the recall of officers.

ARTICLE XII--INITIAL EXECUTIVE BOARD

The number of directors constituting the initial Board of Directors of the Association is 13, inclusive of the president, the president-elect, the immediate past president, the NEA state director for Utah of the National Education Association, and nine directors, and the names and addresses of the persons who are to serve as members of the Board of Directors, until their successors are elected and shall qualify, are:

<u>Names</u>	<u>Addresses</u>
Robert T. Krueger, President	4836 S. 4480 W., Kearns, UT
Richard J. Halterman, 1st Vice President	2747 E. 3220 S., Salt Lake City, UT
Mrs. Louise Bennett, 2nd Vice President	P. O. Box 21, Holden, UT
Lois Bigelow, Director	1075 Denver St., Salt Lake City, UT
James W. Peterson, Director	93 Cyprus Street, Copperton, UT
Mrs. Thelma G. Walton, Director	Monticello, UT
Elizabeth Huish, Director	392 E. 500 S., Payson, UT
Jay L. Nielsen, Director	859 South 800 East, Orem, UT
Clair Erickson, Director	186 South Main, Ephraim, UT
D. Carlyle Baker, Director	604 Wilson Ave., Salt Lake City, UT
Dr. Basil C. Hansen, Director	20 Raymond Court, Logan, UT
Hugh D. Rush, Director	3977 Southbourne, Salt Lake City, UT
Carl J. Mellor, NEA State Director	RFD, P. O. Box 96, Lehi, UT

ARTICLE XIII--INITIAL PRINCIPAL OFFICE

The location and street address of its initial principal office is 312 East South Temple, Salt Lake City, Utah 84111.

ARTICLE XIV--INCORPORATORS

The name and address of each incorporator is:

<u>Names</u>	<u>Addresses</u>
Robert T. Krueger, President	4836 S. 4480 W., Kearns, UT
Richard J. Halterman, 1st Vice Pres.	2747 E. 3220 S., Salt Lake City, UT
John C. Evans, Jr., Executive Secretary	875 E. 5180 S., Salt Lake City, UT

ARTICLE XV--AMENDMENT

Amendment to these Articles of Incorporation shall be made in accordance with the statutory provisions of the state of Utah relating to nonprofit corporations.

Dated the 16th day of June, 1965

STATE OF UTAH)
 :
COUNTY OF SALT LAKE) s/ ROBERT T. KRUEGER
 s/ RICHARD J. HALTERMAN
 s/ JOHN C. EVANS, JR.

I, LaVern Andersen, a notary public, hereby certify that on the 16th day of June, 1965, personally appeared before me Robert T. Krueger, Richard J. Halterman and John C. Evans, Jr., who being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 16th day of June, 1965.

s/LaVern Andersen
NOTARY PUBLIC
Residing in: Salt Lake County
My Commission expires: May 3, 1969

THIRD: The foregoing Amended and Restated Articles of Incorporation was adopted at a meeting of the members held April 12, 1985, the necessary number of members were present to conduct business, and the Amended and Restated Articles of Incorporation received more than two-thirds of the votes in favor of the Amended and Restated Articles of Incorporation which the members present at the meeting cast.

Executed in duplicate at Murray, Utah, this 12th day of April, 1985.

UTAH EDUCATION ASSOCIATION

s/Betty R. Condie
BETTY R. CONDIE, President

Attest:
s/Bruce Lund
Bruce Lund, Executive Director

VERIFICATION

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 12th day of April, 1985, Betty R. Condie, personally appeared before me, Marie Morrell, who being first duly sworn by me, did state that she is the president of the Utah Education Association, that she executed the foregoing Amended and Restated Articles of Incorporation of the Utah Education Association by authority of the members of the Association and its Bylaws and that she acknowledged to me that the corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12th day of April, 1985.

/s Marie Morrell
NOTARY PUBLIC
Residing in: Salt Lake City, Utah
My Commission Expires: March 21, 1988

FOURTH: A Certificate of Members' and Board of Directors' Meetings Approving Amendments to the Articles of Incorporation of the Utah Education Association was filed with the State of Utah. After publishing notice in newspapers of general circulation to the members of the Utah Education Association as required by law, a meeting of the members of the Utah Education Association was held April 23, 2005. After the meeting was called to order, all of the members present voted in favor and no members voted against adopting an amendment to Article III—Purposes to the Articles of Incorporation of the Utah Education Association. At a duly noticed and called meeting of the Board of Directors of the Utah Education Association held May 14, 2005, the Board of Directors voted to change the term "trustees" in the Articles of Incorporation to "directors." The change does not require the approval of the members as the change is a minor change to conform the language of the Articles of Incorporation to that used in the non profit corporation laws of Utah.

Executed at Murray, Utah, this 13th day of July, 2005.

UTAH EDUCATION ASSOCIATION

s/Pat Rusk
PAT RUSK, President

VERIFICATION

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 13th day of July, 2005, Pat Rusk, personally appeared before me, Kristie Rasmussen, who being first duly sworn by me, did state that she is the president of the Utah Education Association, that she executed the foregoing Certificate of Members' and Board of Directors' Meetings Approving Amendments to the Articles of Incorporation of the Utah Education Association by authority of the members of the Association, the Board of Directors and its Bylaws and that she acknowledged to me that the corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 13th day of July, 2005.

/s Kristie Rasmussen
NOTARY PUBLIC
Residing in: Salt Lake City, Utah
My Commission Expires: May 17, 2006

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**CONSTITUTION
of the
UTAH EDUCATION ASSOCIATION**

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ARTICLE I--MEMBERSHIP

Section 1.1 Categories of Membership. Membership in the Association is comprised of active members and other categories of members provided in the Bylaws.

Section 1.2 Membership Eligibility. Membership is open to any person employed as a professional educator or employed by an educational institution, or as otherwise defined in bylaw, who:

- a. Is a member of the local education association affiliated with UEA;
- b. Is a member of the National Education Association;
- c. Pays the dues and other fees required by the House of Delegates; and
- d. Subscribes to the goals and objectives of the Association and abides by its Constitution and Bylaws.

Section 1.3 Rights of Members. Active members have the right to vote and hold office in the Association. Rights of other categories of members are prescribed in the Bylaws.

Section 1.4 Revocation of Membership. The Bylaws of the Association may provide for procedures and causes whereby a person's membership may be denied, suspended, or revoked, and the manner in which a member whose membership has been denied, suspended, or revoked may be reinstated as a member.

Section 1.5 Membership Dues and Fees. The membership dues and fees which must be paid by the various categories of members to qualify for membership or to remain as members shall be established by the House of Delegates.

Section 1.6 Further Qualifications, Rights, and Duties of Members. The Bylaws may establish categories of membership and the qualifications, rights, and duties of the members of each category, provisions for termination or forfeiture of membership, and the dues, assessments, and charges for membership.

ARTICLE II--AFFILIATIONS

Section 2.1 Utah Education Association. To become an affiliate of the Utah Education Association, a local association shall require unified membership in the local education association, the Utah Education Association, and the National Education Association. A local association or several local associations may become affiliate organizations by filing an application to affiliate with the Board of Directors of the Utah Education Association and submitting for review its constitution, articles of incorporation, or articles of association, and such other statements of ethics and policies as the Board of Directors may require. If the Board of Directors finds that the constitution, articles of incorporation, or articles of association, and other statements of policies and ethics do not conflict with the Articles, Bylaws, and policies of the Utah Education Association, it shall recognize the local association or associations as an affiliate and thereby entitle its members to representation in the House of Delegates according to the Articles of Incorporation, the Constitution, and the Bylaws of the Utah Education Association. The Association shall recognize no more than one local affiliate within the same jurisdictional boundaries, but affiliates not competing for the same category of membership may be recognized. Affiliates which are subject to corrective action shall have the right to appeal an adverse ruling to a five-member panel selected by lot from the current House of Delegates, but no delegate who is a party of interest shall be selected to serve on the panel. The decision of the panel shall be final and binding on all parties.

1 **Section 2.2 National Education Association.** This Association is affiliated with the National
2 Education Association under rules of affiliation established by the National Education Association
3 and cooperates with the National Education Association in furthering such common or joint purposes
4 of the respective organizations as the Board of Directors shall approve.

5
6 **ARTICLE III--OFFICERS AND BOARD OF DIRECTORS**

7 **Section 3.1 Officers.** The officers of the Association are the president and vice president.

8 **Section 3.2 Board of Directors.** The UEA Board shall all be members of the UEA. The Board of
9 Directors is comprised of the president, the vice president, the state director(s) for Utah of the
10 National Education Association, and elected directors as provided in the Bylaws. Directors are
11 elected for terms of three years, but the Bylaws may provide for shorter terms to fill vacancies on the
12 Board and in cases of dissolution or realignment of UniServs.

13 **Section 3.3 Election.** For the purpose of nominating and electing directors, the state is divided into
14 UniServ units. Those nominated to represent each UniServ unit must be employed within the
15 UniServ unit they represent and elected by the members within the UniServ unit. A director
16 representing ethnic minorities and a director representing UEA-Retired shall be elected.
17 Representative areas and procedures for nomination and election are defined in the Bylaws.

18 **Section 3.4 Qualifications.** The officers and directors shall be and shall have been active members
19 of the Utah Education Association at least three years immediately preceding the date of election.

20 **Section 3.5 Powers and Duties.** The Board of Directors manages the business of the Association so
21 as not to conflict with the policies adopted by the House of Delegates.

22
23 **ARTICLE IV--HOUSE OF DELEGATES**

24 **Section 4.1 Powers and Duties.** The House of Delegates is the legislative body of the Utah
25 Education Association and may determine the policies to be carried out by the Board of Directors.

26 **Section 4.2 Delegate Apportionment.** The officers and directors are delegates to the House of
27 Delegates. Each local association, educational institution separate from the district in which it is
28 located, UniServ, the UEA-Retired members, and the UEA Aspiring Educator Program are entitled
29 to representation in the House of Delegates.

30 There shall be two delegates from each of these groups, or as many as each may be entitled to
31 on the basis of one delegate for every 40 UEA members or every major fraction thereof, whichever
32 is greater. UniServs are limited to two delegates for each NEA recognized unit. Each delegate is
33 entitled to only one vote.

34 The allocation of delegates from the UEA-Retired shall be allocated on the basis of one
35 delegate for every 100 UEA-Retired members or every major fraction thereof. Each delegate is
36 entitled to only one vote

37 **Section 4.3 Delegate Qualifications.** Each delegate must be a member in good standing of the Utah
38 Education Association and of the organization represented.

39 **Section 4.4 Presiding Officer.** The president of the Association or during the president's absence,
40 the vice president or a designee of the president, presides at the House of Delegates.

41 **Section 4.5 Impeachment.** The House of Delegates shall establish in the Bylaws a procedure in
42 which due process is provided for the impeachment and removal of officers and directors.

43 **Section 4.6 Rules and Resolutions Committee.** The House of Delegates shall have a Rules and
44 Resolutions Committee. No legislative amendment, budget amendment, bill, resolution, new
45 business item, or other action of a substantial nature shall be considered by the House of Delegates
46 unless it has been referred to the House by the Rules and Resolutions Committee or approved for
47 consideration by a two-thirds vote of the House. The House may provide for the operation,
48 organization, and duties of the Rules and Resolutions Committee.

1 **Section 4.7 Effective Date.** All bills, resolutions, and other actions of the House of Delegates
2 affecting the Association shall become effective on adjournment of the House unless a later date is
3 provided in the bill, resolution, or action. Nothing in this section precludes the House of Delegates
4 from adopting its own rules of procedure.

6 **ARTICLE V--REFERENDUM**

7 **Section 5.1 Referendum.**

8 **a. Popular Referendum.** Procedures to bring any action of the Board of Directors or the
9 House of Delegates to a referendum shall be set forth in the Bylaws, but no action may be
10 brought to referendum unless the executive director receives, within 90 days after the action
11 was approved by the Board of Directors or the House of Delegates, referendum petitions
12 signed by at least 15% of the total active members and by at least 15% of the active members
13 from a majority of the UniServ units. The legislative programs and matters related to the
14 budget and membership dues are not subject to referendum.

15 **b. Board or House Referendum.** The Board of Directors or the House of Delegates may refer
16 any of their actions to the voting members of the Association upon resolution by two-thirds
17 of the respective body. The procedure for Board or House referendum shall be provided in
18 the Bylaws.

19 **ARTICLE VI--ASSOCIATION STAFF**

20 **Section 6.1 Staff.** The staff of the Association consists of the executive director and other employees
21 necessary to transact the business of the Association.

22 **Section 6.2 Executive Director.** The executive director is: (a) a full-time employee of the
23 Association; (b) appointed by the Board of Directors for a term of employment not to exceed two
24 years; (c) bonded and receives the compensation established by the Board of Directors; (d)
25 responsible, under the direction of the president and Board of Directors, for the implementation of
26 the budget, policy, goals, and objectives adopted by the House of Delegates and interpreted by the
27 Board of Directors.

28 **ARTICLE VII--AMENDMENTS**

29 **Section 7.1 Required Vote.** This Constitution may be amended by a majority of the votes cast by
30 ballot at the next regular election of the membership, if the proposed amendment has been
31 previously approved by the House of Delegates.

32 Amended on May 12, 1986.

Record of Amendments

- 1
- 2 The Constitutional amendments of Article III, Section 3.2 and Article IV, Section 4.2 were
- 3 approved by a majority of the votes cast by ballot at the regular election of the membership on
- 4 May 18, 1995.
- 5 The Constitutional amendments of Article III, Section 3.3 and Article IV, Section 4.6 were
- 6 approved by a majority of the votes cast by ballot at the regular election of the membership on
- 7 May 14, 2004.
- 8 The Constitutional amendments of Article IV, Section 4.2 and 4.6 were approved by a majority
- 9 of the votes cast by ballot at the regular election of the membership on May 13, 2005.
- 10 The Constitutional amendment of Article III, Section 3.2 was approved by a majority of the
- 11 votes cast by ballot at the regular election of the membership on May 19, 2006.
- 12 The Constitutional amendments of Article III, Section 3.2 and Article IV, Section 4.6 were
- 13 approved by a majority of the votes cast by ballot at the regular election of the membership on
- 14 May 16, 2008.
- 15 The Constitutional amendment of Article IV, Section 4.2 was approved by a majority of the
- 16 votes cast by ballot at the regular election of the membership on February 24, 2012.
- 17 The Constitutional amendment of Article I, Section 1.4 was approved by a majority of the votes
- 18 cast by ballot at the regular election of the membership on February 20, 2015.
- 19 The Constitutional amendment of Article IV, Section 4.2 was approved by a majority of the
- 20 votes cast by ballot at the regular election of the membership on April 11, 2018.
- 21 The Constitutional amendments of Article I, Sections 1.1, 1.2.a, 1.3, 1.5, 1.6; Article II, Section
- 22 2.1; Article III, Section 3.3; and Article IV, Section 4.2 was approved by a majority of the votes
- 23 cast by ballot at the regular election of the membership on April 12, 2023.
- 24 The Constitutional amendment of Article III, Section 3.2 was approved by a majority of the
- 25 votes cast by ballot at the regular election of the membership on February 19, 2025.
- 26 The Constitutional amendment of Article I, Section 1.2 was approved by a majority of the votes
- 27 cast by ballot at the regular election of the membership on February 25, 2026.

**BYLAWS
of the
UTAH EDUCATION ASSOCIATION**

ARTICLE I--MEMBERSHIP

Section 1.1 Categories of Membership.

a. Active Members. Any person may become an active member of the Association if the person meets the criteria of the Constitution, is in a category of membership approved by the UEA Board of Directors, and:

(1) Has a bachelor's or higher degree from an institution of higher education and, if required, holds the certificate or license required by the person's educational work and is employed full time or part time in Utah by or in a public school district, public college or university, or other public institution devoted primarily to education; or

(2) Is employed full time or part time as an education support professional (ESP) in a public school district, public college or university, or other public institution devoted primarily to education; or

(3) Is employed under the appropriate provisions of the Utah State Board of Education and paid on an educator's salary schedule; or

(4) Is serving as an executive officer of the NEA, the UEA or a local affiliate; and

(5) Pays the annual dues and fees established by the House of Delegates.

b. Life Members. Past presidents of the Association are members for life. This section does not preclude a life member from membership in another class of members.

c. Reserve Members. Any person may become a reserve member who:

(1) Is a former member of the Association and is currently on leave or held active membership in the Association but no longer qualifies for active membership; or

(2) Serves as a teaching intern on a partial salary; or

(3) Is a graduate student with a teaching certificate not otherwise qualified for membership; or

(4) Is employed in educational work at a professional level and is not otherwise qualified for membership; and

(5) Pays the annual dues and fees established by the House of Delegates.

Reserve members have all of the privileges of active members, except where defined in conditions of a program, and may not hold an office. Reserve members may vote in their affiliated level of membership.

d. Retired Members. Any person may become a Retired member who:

(1) Is at least forty-five years of age,

(2) Was employed at least five years in a position that qualified them for active Association membership,

(3) Supports the purposes and programs of the Association,

(4) Is and remains a NEA-Retired member, and

(5) Pays the annual dues and fees established by the House of Delegates.

UEA-Retired members elect members to the House of Delegates according to the requirements of section 4.2 of the Constitution. The UEA membership department shall advise the president, or other officers of the UEA-Retired association, of the number of delegates the UEA-Retired association is entitled to as of January each year. UEA-Retired members have the same rights and privileges in the House as delegates representing active members.

1 UEA-Retired members are eligible to vote for all statewide UEA officers except the
2 NEA State Director(s).

3 UEA-Retired members have all of the privileges of active members, but are not
4 eligible to hold a UEA office except in UEA-Retired statewide local association. Unless
5 otherwise provided in these Bylaws, a person eligible for membership in more than one
6 category shall join the Association in the membership category that provides the greatest
7 degree of participation in Association governance.

8 Retired members may establish their own organization subject to section 2.1 of the
9 UEA Constitution, adopt bylaws, elect officers, and set local dues according to their bylaws.

- 10 **e. Staff Members.** Any person employed by the Association or any of its affiliates in a
11 professional staff position may become a staff member. Dues of staff members are one-half
12 the dues of active members. Staff members are eligible to vote for all statewide UEA officers
13 except the NEA State Director(s).
- 14 **f. Aspiring Educator Members.** Any student enrolled in or preparing for a program of study
15 in an accredited institution of higher learning which qualifies the student for a career in
16 education may become an aspiring educator member, but any person eligible for active or
17 reserve membership is not eligible for aspiring educator membership. Aspiring educator
18 members are entitled to representation in the House of Delegates. Aspiring educator
19 members may establish their own organization subject to section 2.1 of the UEA
20 Constitution, adopt bylaws, elect officers, and set local dues according to their bylaws.
- 21 **g. Honorary Members.** Persons other than those named above who have achieved distinction
22 in educational work may become honorary members on recommendation of the Board of
23 Directors and two-thirds vote of the House of Delegates.

24 **Section 1.2 Revocation of Membership.**

- 25 **a.** The Board of Directors may deny, suspend or revoke the membership of any person who
26 engages in conduct substantially injurious to the Association or the profession.
- 27 **b.** No membership shall be denied, suspended or revoked unless the Board of Directors has
28 given written notice to the applicant by mailing to the last-known address or personally
29 delivering a written notice to the person setting forth in reasonable detail the basis on which
30 the matter of denial, suspension, or revocation is to be considered and stating that the person
31 may make a written request for a hearing before the Board of Directors within 20 days after
32 the date written notice is personally delivered or deposited in the mail. If a request for a
33 hearing is made, the person shall be given written notice of the time, place, and purpose of
34 the hearing together with a copy of this section.
- 35 **c.** At the hearing, the applicant or the member may cross-examine witnesses, present evidence,
36 and may be represented by counsel.
- 37 **d.** After the hearing, the Board of Directors shall give the applicant or member its written
38 decision setting forth the factual basis for the decision. A copy of the decision shall be either
39 personally delivered or mailed to the applicant or member. If the Board decides to suspend
40 the member, the decision shall state the terms and conditions of suspension including the
41 duration and the conditions for reinstatement.
- 42 **e.** The member may appeal an adverse ruling to a five-member panel to be selected by lot from
43 the current House of Delegates membership, but no delegate who is a party of interest shall
44 be selected to serve on the panel. The decision of the panel shall be final and binding on all
45 parties.

1 **Section 1.3 Reinstatement of an Expelled or Suspended Member.** The Board of Directors may
2 reinstate any person whose membership has been suspended or revoked.

3 **Section 1.4 Membership Dues.**

4 **a. Dues and Contributions of Active Licensed Members.** The dues for membership of active
5 licensed members in the Utah Education Association who are employed full time are .009 of
6 the Bachelor's Lane step 5 median, the benchmark, from the licensed educators' salary
7 schedules one year preceding the current fiscal year, rounded to the nearest dollar. Each year,
8 dues increases are capped at 4%. By majority vote of the House of Delegates, this cap can be
9 waived to allow for the passing of a dues increase up to the full amount as described above.
10 Dues of active licensed members who work half time or less pay one-half of dues of active
11 licensed members employed full time. Dues of active licensed members hired to work an
12 entire year more than half time but less than full time shall be the proportionate percentage of
13 dues of full-time active licensed membership that their contracts bear to full-time
14 employment.

15 **b. Dues and Contributions of Education Support Professional Active Member.** The dues
16 for membership for education support professional (ESP) members are based on a percentage
17 of licensed active members' salaries according to the following:

- 18 (1) 100% or more than the benchmark in section 1.4.a, then 100% of licensed active
19 members' dues.
20 (2) 75% or more than but less than 100%, the benchmark in section 1.4 a, 75% of licensed active
21 members' dues,
22 (3) 50% or more than but less than 75%, the benchmark in section 1.4 a, 50% of licensed active
23 members' dues,
24 (4) 25% or more than but less than 50%, the benchmark in section 1.4 a, 25% of licensed active
25 members' dues.
26 (5) Less than 25% of the benchmark in section 1.4.a, then 10% of licensed active members' dues.
27 (6) Dues will be set at the beginning of the fiscal year and remain in place until the next fiscal
28 year.

29 **c.** Fifty-three percent (53.00%) of all active member dues is apportioned to the Utah
30 Education Association and 47.00% of all active member dues is apportioned to the
31 UniServ. Changes in dues may be made only by the House of Delegates. The Board of
32 Directors shall adopt a policy providing for voluntary contributions to fund the Utah
33 Education Association Political Action Committee (U-PAC) including levels of U-PAC
34 contributions.

35 **Section 1.5 Other Membership Dues.**

36 **a. Reserve Members.** The dues for reserve members who work half time or less are one-half of
37 dues of active membership. The dues for reserve members hired to work an entire year, more
38 than half time but less than full time, shall be the proportionate percentage of dues of active
39 membership that their contracts bear to full-time employment. The dues for all other
40 categories of reserve membership are one-half of dues of active membership.

41 **b. Retired Members.** The annual dues for members who joined UEA-Retired before April 23,
42 2005 are \$5.00. The annual dues for members who join UEA-Retired after April 22, 2005 are
43 \$15.

44 **c. Aspiring Educator Members.** Annual dues of aspiring educator members are \$10.00. A
45 first-year classroom educator who has been an aspiring educator member of UEA will
46 receive a 20% dues discount in their first year of active membership in the UEA.
47

1 **Section 1.6 Dues Changes.** The House of Delegates may change the dues for membership in the
2 Association. Any change in dues takes effect the following membership year.

3 No dues change shall be considered by the House of Delegates unless the delegates have
4 received notice of the proposed change or changes at least 15 days prior to the House. When names
5 of delegates are not filed in the UEA office, notice to local presidents is notice to delegates.

6 **Section 1.7 Collection of Dues.** Local associations are responsible for remitting all dues and
7 contributions collected for the Utah Education Association and the National Education Association
8 to UEA on or before the 15th day of the month immediately following the date on which the local
9 association receives the dues and contributions from the member in cash or through payroll
10 deduction. Notwithstanding the foregoing, payroll deductions must be set up to complete payment to
11 the Association by the end of the Association's fiscal year. Contracts consistent with this section will
12 be made between the local association and the Utah Education Association.

13 ***Proviso 1:** The current section 1.7 will be struck and the following two paragraphs inserted
14 as 1.7*

15 *A) when the Board of Directors determines that government regulations require, or
16 effectively require, members to discontinue use of payroll deductions, or*

17 *B) by August 2027,*

18 *whichever comes first;*

19 *at which time, if after August 2026, locals and UniServ units which have 20 percent or
20 higher of membership using payroll deduction of dues must submit a strategic transition
21 plan, by a deadline set by the Board, which plan must be approved by the Board of Directors
22 to allow continued use of payroll deduction for dues collection.*

23
24 **Section 1.7 Collection of Dues.** *All dues and contributions collected for the Utah Education
25 Association and the National Education Association must be paid to UEA on or before the 15th day
26 of the month. Members may select their preferred method of dues remittance provided on the UEA
27 application for membership. Dues will be collected through Electronic Funds Transfer, credit card,
28 cash or check, depending upon each local. Members may pay annually by credit card, cash, or check
29 in full by October 31st or remit dues according to the UniServ dues collection schedule, by the 10th
30 day of the month.*

31 *Local associations utilizing their own Electronic Funds Transfer programs are individually
32 liable for remitting all dues and contributions collected for the Utah Education Association and the
33 National Education Association to UEA on or before the 15th day of the month immediately
34 following the date on which the local association receives the dues and contributions from the
35 member.*

36
37 **Section 1.8 Distribution of Local Association Dues Collected through Electronic Funds
38 Transfer and/or Credit Card.** Local Associations will receive distribution of local Association
39 dues received through electronic funds transfer and credit card on or before the 25th day of the month
40 in which dues are received.

41 **Section 1.9 Proration of Dues.** Applications for membership are requests for membership for the
42 entire membership year. Membership applications, submitted after September 1, because the
43 applicant was not, until the date of application, actively engaged in education as a profession or has
44 never been a member or has not been a member for more than one year or otherwise qualified for
45 membership, are requests for membership from the date of application for membership to the end of
46 the membership year.

47 Any person who joins as an active or reserve member during the year shall be enrolled as a
48 member in full standing for the remainder of the membership year by paying the amount of annual
49 dues which is commensurate with the remaining portion of the membership year. The UEA shall not

1 be obligated to pay the attorney fees or court costs for any educator who joins the Association after
2 an incident which threatens their job.

3 At the discretion of the local, any subsequent rejoining may require the applicant to pay dues
4 for the full membership year.

5 Termination of a member's status does not alter or reduce the dues obligation for the
6 membership year or period, but a member may request termination of membership and may be
7 granted a proration of dues.

8 **Section 1.10 Delinquency.** Annual dues are collected and considered delinquent as follows:

- 9 a. Single payment for the full amount may be made on or before September 1 every year.
10 b. Electronic Funds Transfer (EFT)/credit cards due the third day of each month pursuant to the
11 contractual agreement.
12 c. Payroll deduction dues are payable on or before August 31 each membership year and are
13 delinquent if unpaid after that date but, if evidence is provided to the executive director that
14 authorization has been made for payroll deduction of membership dues, then the member
15 may commence enjoyment of member benefits before the dues are received.
16 d. The failure to pay dues in a timely manner may be considered per se, conduct substantially
17 injurious to the Association.

18 *In the event that legislation passes requiring members to discontinue the use of payroll*
19 *deduction, or by August 2026, the following amendments will be adopted for Section 1.10 of*
20 *the UEA Bylaws.*

21 **Section 1.10 Delinquency.** Annual dues are collected and considered delinquent as follows:

- 22 a. Single payment for the full amount after October 31 every year.
23 b. Monthly payments submitted after the due date each month pursuant to section 1.7.
24 c. The annual dues commitment paid after August 31 each membership year, unless
25 evidence is provided to the executive director that demonstrates an exception.

26 *The failure to pay dues in a timely manner may be considered, conduct substantially injurious to*
27 *the Association.*

28 **Section 1.11 Membership Year.** The membership year is from September 1 through August 31 the
29 following year.

30 **Section 1.12 Transfer.** Individual membership dues may not be transferred.

31 **Section 1.13 UEA Children at Risk Foundation Contribution.** UEA membership forms and
32 rosters shall include a section for a voluntary annual contribution of \$1.00 or more designated for the
33 UEA Children at Risk Foundation which shall be in addition to membership dues.

34 35 **ARTICLE II--RIGHTS AND PRIVILEGES OF MEMBERS**

36 **Section 2.1 Voting.** The right to vote is vested in the active members of the Association and the
37 other categories of members expressly given the right to vote.

38 Proxy voting is prohibited. This section does not preclude the use of absentee ballots when
39 permitted in these Bylaws.

40 **Section 2.2 General Rights and Privileges.** Subject to the Constitution, all rights and privileges of
41 membership, including the right to hold office, participate in meetings, be members of committees,
42 receive notice of meetings and other business of the Association requiring notice, are vested in the
43 active members unless these Bylaws expressly grant some or all of these privileges to other
44 categories of members.

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ARTICLE III--MEETINGS

Section 3.1 The Board of Directors. The Board of Directors meets at the times and places it determines. A majority of the Board of Directors is a quorum.

Section 3.2 House of Delegates. The House of Delegates meets annually at the time and place set by the Board of Directors. The House of Delegates shall receive reports on the status of the Association, discuss and adopt the UEA Legislative Program and the UEA Budget, and adopt policies governing the Association.

A majority of the registered delegates is a quorum for meetings of the House of Delegates.

The Board of Directors shall, after reviewing the recommendations of the Agenda and Reviewing Committee, recommend an agenda for the House of Delegates.

Section 3.3 Special Meetings - House of Delegates. Special meetings of the House of Delegates are called by the House of Delegates, the president of the Association at the request of the Board of Directors, or by a written request to the president signed by 25 members of the House of Delegates and ten local presidents. A special meeting of the House of Delegates is canceled on the request of at least two-thirds of the members of the Board of Directors, if the special meeting was called by the Board of Directors; or by two-thirds of the members of the House of Delegates and two-thirds of the local presidents who joined in the written request calling for the special meeting. A special meeting called by the House of Delegates may be canceled if requested by a majority of the current members of the House of Delegates. A special meeting is canceled if the foregoing procedures are completed five days prior to the date set for the special House of Delegates.

Section 3.4 Notice - Meetings of House of Delegates. The executive director shall give prior notice to each delegate of the time, place, and purpose of each regular and special meeting of the House of Delegates and shall furnish to each delegate a copy of the agenda of the meeting.

When the names of delegates from a local association are not filed in the office of the Utah Education Association, notice to the local president is notice to the delegates from that association.

Section 3.5 No Proxies. Members of the House of Delegates or their alternates must be present to vote on any question before the House of Delegates.

Section 3.6 Membership Meetings. Any conventions of the membership are held at the time and place determined by the Board of Directors.

Notice of the time and place of any convention shall be published in a publication of the Association at least ten days before the convention. The members present at the membership meeting constitute a quorum.

Section 3.7 Special Meetings - Membership. Special meetings of the membership are called by the president of the Association at the request of the Board of Directors or of the House of Delegates. Written notice of the time, place, and purpose of special meetings shall be given to each member at least five days before the date of the special meeting.

Section 3.8 Majority Vote Required. A majority vote of the members present at the House of Delegates or Board of Directors is necessary to adopt any matter, unless a greater number is required by the Constitution, the Bylaws, the Standing Rules, the Articles of Incorporation, or the laws of the state of Utah.

ARTICLE IV--REFERENDUM

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Section 4.1 Referendum.

a. Petition Form. Prior to circulation, referendum petitions shall be filed with the executive director who shall have them reviewed by the legal counsel who shall rule only as to the sufficiency and format of the petition.

- 1 **b. Filing.** Referendum petitions shall be filed with the executive director, who shall canvass the
2 petitions to determine whether the petitions have been signed by the required number of
3 active members as provided in the Constitution.
- 4 **c. Publication.** On receipt of the required number of signatures, or on action of the House of
5 Delegates, or the Board of Directors, the executive director shall publish the text of the
6 referendum petition or action in the next regular issue of the official publication of the
7 Association.
- 8 **d. Voting.** Within 20 days after the publication, the executive director shall prepare the ballot
9 for voting on the referendum question and conduct the referendum election substantially in
10 compliance with the procedure for conducting general elections. A referendum, to pass,
11 requires at least two-thirds vote of all of the members. Measures defeated by referendum are
12 void immediately following certification of the vote.

13 14 **ARTICLE V--OFFICERS**

15 **Section 5.1 President.**

- 16 **a. Term.** The president holds office for a term of three years beginning July 15 following
17 election. The president shall not be elected to more than two consecutive terms.
- 18 **b. Duties.** The president: (1) presides over meetings of the membership of the Association, the
19 House of Delegates, and the Board of Directors, or may delegate the duty to the vice president or, in
20 the absence of both officers, a member of the Board of Directors; (2) is the chief executive officer of
21 the Association and the Board of Directors; (3) is responsible, under the direction of the Board of
22 Directors, for developing and implementing the Association's budget, policies, objectives, and
23 activities; (4) serves as alternate NEA director; (5) is ex officio a member of each committee,
24 council, and task force of the Association; (6) performs all functions usually attributed to the office
25 of president and those assigned by the Board of Directors; and (7) works with local associations,
26 both state and local option, and their programs to advance the UEA program adopted by the Board of
27 Directors and the House of Delegates.

28 **Section 5.2 Vice President.**

- 29 **a. Term.** The vice president holds office for a term of three years beginning July 15 following
30 election. The vice-president shall not be elected to more than two consecutive terms.
- 31 **b. Duties.** The vice president performs the functions usually attributed to the office, including
32 assisting the president and maintaining a knowledge and interest in the business of the Association.

33 **Section 5.3 Vacancy.** If the office of president becomes vacant, the vice president becomes
34 president for the unexpired term.

35 Vacancies in all other elected offices shall be filled by the Board of Directors until the next
36 general election at which time the offices will be filled by election. The person elected to the office
37 will serve out the remainder of the term. Notice of vacancies shall be sent to all local association
38 presidents at least two weeks prior to the appointments.

39 40 **ARTICLE VI--BOARD OF DIRECTORS**

41 **Section 6.1 Composition of the Board of Directors.** The UEA Board shall all be members of the
42 UEA. The Board of Directors is comprised of the officers, the NEA state director(s), one director
43 representing each UniServ, one director representing UEA-Retired, and one director representing
44 ethnic minority members.

45 **Section 6.2 Election.** One director is elected from each UniServ. One director representing ethnic
46 minorities is elected by the total membership of the Association. One director representing UEA-
47 Retired is elected by UEA-Retired members.

1 **Section 6.3 Qualifications.** Directors shall be active members, except the UEA-Retired director who
2 shall be a UEA-Retired member in good standing. Directors, except the UEA-Retired director, shall
3 immediately vacate their positions on the Board of Directors when they cease to be employed within
4 the category or the UniServ they were elected to represent. An active member on district-approved
5 sabbatical leave, special assignment, or military leave may be a Director, but the UniServ Council
6 whose Board member is on military leave expected to last more than three months, may appoint a
7 temporary acting director during the time of the military leave.

8 **Section 6.4 Terms of Office.** Except as otherwise provided in this section, Directors are elected to
9 three-year terms that begin July 15 following the election and expire July 14 three years later, except
10 the NEA state directors whose term on the UEA Board of Directors corresponds with the term of
11 office as NEA state director.

12 Board members shall not be elected to more than two terms consecutively. If more than six
13 Directors are to be elected in one election, the Elections Committee, in a regularly called meeting in
14 the year prior to that election, shall determine by lot the Directors to be elected for a one or two-year
15 term so that the number of Directors elected in a future election (if a full term is served) will not
16 exceed six. The term of any person elected to a term of less than three years pursuant to this section
17 shall not be counted toward limiting the person's tenure to two consecutive terms. A UniServ whose
18 director is selected to serve less than a full term pursuant to this section shall be exempt from this
19 lottery for the next three years. The UniServ Presidents shall receive written notice of and be invited
20 to attend the meeting.

21 **Section 6.5 Weighted Voting.** The procedure for weighted voting by the UEA Board of Directors
22 shall be as follows: The president, vice president, ethnic minority director, UEA-Retired director,
23 and the NEA state directors shall each have one vote. UniServs with fewer than 1,000 members shall
24 have one vote. UniServs with more than 1,000 members shall have one vote for the first 1,000
25 members and .1 vote for each 100 members after the first 1,000. Twice a year, at the March and
26 August Board meetings, the Executive Director shall report to the Board of Directors the number of
27 votes each director shall be entitled to, based on current membership. This shall become the official
28 weighted voting procedure for the UEA Board of Directors and will be used for voting whenever
29 called for by a member of the Board. UEA will provide technology at the Board meeting to facilitate
30 an immediate tally for UEA Board members.

31
32 **ARTICLE VII--REPRESENTATIVES TO NEA**
33 **BOARD OF DIRECTORS AND REPRESENTATIVE ASSEMBLY**

34 **Section 7.1 NEA State Directors.**

- 35 **a. Nomination and Election.** Each NEA state director must be an active member. The NEA
36 state director(s) is/are nominated and elected in the manner provided in the NEA Bylaws.
- 37 **b. Duties.** The state director(s) perform(s) all of the duties usually required of a state director
38 and the other duties prescribed by the UEA Board of Directors which are not in conflict with
39 the NEA Bylaws and guidelines.

40 **Section 7.2 Delegates to NEA Representative Assembly.**

- 41 **a. Delegates.** Except as below provided, election to the Board of Directors or as an officer of
42 the Utah Education Association also constitutes election as a delegate to the Representative
43 Assembly of the National Education Association for the term of office. Despite the election
44 of a successor delegate, certification of election qualifies the director elected to fill the
45 vacancy to serve as a state delegate to the next Representative Assembly.

46 "Ethnic minority" is defined by the NEA.

47 NEA-RA state delegate(s)-at-large shall be elected at large and shall be seated in the
48 order of the number of votes received.

1 Successor delegates for statewide officers and NEA-RA state delegate(s)-at-large
2 shall be elected at large and shall be selected in the order of the number of votes received.
3 Elections will be held for successor delegates for directors of each UniServ, with election
4 and terms of office to run concurrently with the Board seat. Successor delegates shall be
5 seated in the order of the number of votes received.

6 If the proportional representation guidelines are met, a delegate representing retired
7 members shall be elected by retired members. To qualify, a retiree must be a unified
8 UEA/NEA member and an active participant in either the NEA Retired/Life or NEA
9 Retired/Annual programs. If the proportional representation guidelines are met, a delegate
10 representing aspiring educator members shall be elected by aspiring educator members. To
11 qualify, an aspiring educator must be a unified UEA/NEA member and active in the UEA
12 Aspiring Educator Program. State delegate(s)-at-large, successor delegates and retired
13 delegates are elected for three-year terms that correspond with the terms of the president and
14 vice president. Aspiring Educator member delegates are elected for a one-year term.

- 15 **b. Nomination.** Delegates and successor delegates to the Representative Assembly of the
16 National Education Association are nominated according to these Bylaws.

17 **ARTICLE VIII--RECALL AND IMPEACHMENT**

18 **Section 8.1 Commencement of Impeachment Proceedings.** If two-thirds of the Board of Directors
19 determine that an elected officer or member of the Board has been grossly negligent in performing
20 the duties of the office, or is so incapacitated as to be unable to perform their duties, the Board may
21 recommend impeachment proceedings before the House of Delegates. Prior to commencing the
22 proceedings, the Board shall inform the officer or director of the intention of the Board of Directors
23 and arrange an informal conference during which the officer or director and the Board may discuss
24 the circumstances which have led to the proposed action and inform the officer or director of the
25 facts which form the basis for the impeachment proceeding. Until the impeachment question is
26 placed before the House of Delegates, the Board has the right to reconsider and withdraw or modify
27 the proposed proceedings. If after notification the officer or director elects to resign, the Board shall
28 not recommend impeachment to the House of Delegates. If the Board decides to recommend the
29 impeachment of an officer or director to the House of Delegates, it shall first conduct an open
30 hearing according to procedures established by the Board.

31 **Section 8.2 Recall of Officers and Directors.**

32 **a. Officers.**

33 (1) The voting members may recall the president, vice president, NEA state directors, or the
34 ethnic minority director.

35 (2) Recall petitions shall state the name and position of the person to be recalled and the
36 reasons for the recall. The petitions shall be filed with the executive director who is
37 responsible for verifying the signatures contained on the petitions. Signatures of at least 15%
38 of the voting members in at least one-half of the UniServes are required to initiate recall. The
39 total number of signatures must be at least 15% of the total UEA membership.

40 (3) Within 15 days of receipt of the number of signatures required in subsection (2) above,
41 the executive director shall notify all voting members of the Association that a recall petition
42 has been received.

43 (4) Forty-five days after receipt of the number of signatures required in subsection (2) above,
44 ballots shall be prepared and distributed to the voting members of the Association. Except
45 for the dates, a recall election shall be conducted substantially in the same manner as the
46 general election.

47 (5) If a majority of the voting members of the Association vote to recall the officer, that
48 office shall be declared vacant on certification of the election results by the Elections
49 Committee and shall be filled in the manner provided in Article V of these Bylaws.
50

1 **b. Members of the Board of Directors.**

2 (1) On receipt of a petition for recall of a member of the Board of Directors by the voting
3 members of the UniServ, the executive director shall notify the members in the UniServ that
4 a petition for recall, containing signatures of at least 15% of the voting members of the
5 UniServ, has been received and verified.

6 (2) Not less than 15 days nor more than 30 days after notification, ballots shall be prepared
7 and distributed to all voting members of the UniServ according to procedures provided in
8 these Bylaws.

9 (3) If a majority of the voting members of the UniServ vote to recall the Board member, the
10 position shall be declared vacant on verification of the election results by the Elections
11 Committee and shall be filled in the manner provided in these Bylaws.

12 **ARTICLE IX--HOUSE OF DELEGATES**

13 **Section 9.1 Election of Delegates.** Except as provided in these Bylaws, local associations,
14 organizations from educational institutions, and other affiliates entitled to representation in the
15 House of Delegates shall elect from among their members delegates to the House of Delegates for a
16 term of at least one year.

17 **Section 9.2 Ethnic Minority Representation.** Each association, organization from an educational
18 institution, or other affiliate entitled to representation in the House of Delegates is expected to elect
19 delegations which have ethnic minority representation at least proportionate to the ethnic minority
20 membership of the affiliate.

21 **Section 9.3 Standing Rules.** The House of Delegates shall adopt rules governing its committees and
22 procedures.

23 **Section 9.4 Codification.** The executive director shall compile and codify all actions passed by the
24 House of Delegates.

25 **Section 9.5 Officers of the House of Delegates.**

26 **a.** The president of the Association, or in the absence of the president, the vice president, or in
27 the absence of both, a member of the Board of Directors designated by the president,
28 presides at the House of Delegates.

29 **b.** The executive director of the Association is the secretary of the House of Delegates.

30 **ARTICLE X--COMMITTEES, COUNCILS, AND TASK FORCES**

31 **Section 10.1 Appointments.** Except as otherwise provided by the Standing Rules of the House of
32 Delegates or these Bylaws, members of all committees and task forces shall be appointed by the
33 president, with the advice and consent of the Board of Directors.

34 **Section 10.2 House Committees.** House Committees are appointed to facilitate the operation of the
35 House of Delegates. The composition and duties of the House Committees are specified in the
36 Standing Rules.

37 **Section 10.3 Standing Committees.** Standing committees are appointed to carry on activities or
38 pursue purposes of a continuing nature.

39 **Section 10.4 Terms and Selection of Committees.** Committee members are appointed to a term of
40 three years and shall not serve more than two terms consecutively, unless the UniServ is otherwise
41 unable to fill the position. Pending dissolution or realignment of UniServ(s), the subsequent term(s)
42 of committee member(s) representing the affected UniServ(s) may be shortened. A shortened term is
43 not considered a full term of office when determining term limitation provisions of the UEA Bylaws.

44 Standing committee members of the Bargaining, Professional Rights and Responsibilities
45 Committee, the Political Action Committee, the Elections Committee, the Organizing and
46 Membership Capacity Building Committee, the Ethnic Minority Affairs Committee, and the Health
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1 and School Safety Committee are selected from corresponding committee members of the UniServs
2 and UEA-Retired. Except committees of the House of Delegates, members appointed to committees
3 shall be nominated from recommendations of the UniServ Councils. If a vacancy occurs, a successor
4 shall be appointed in the manner prescribed by these Bylaws.

5 **Section 10.5 Chair.** The president appoints a chair for each committee for a one-year term whose
6 term commences August 1.

7 **Section 10.6 Task Forces.** Committees created for limited purposes are task forces. The Board of
8 Directors may authorize task forces and terminate them when the purposes for which they were
9 created have been achieved. The House of Delegates may authorize task forces but may not appoint
10 the members. The new business item creating a task force shall state the purpose for creating the task
11 force, the work the task force is to accomplish, and the time within which the work is to be
12 performed. No task force shall be extended beyond the time set forth in the new business item,
13 unless deemed necessary by the Board of Directors.

14 **Section 10.7 Joint Committees.** The House of Delegates or Board of Directors may create
15 committees comprised of Association and non-Association members to work on problems related to
16 education. UEA members are appointed by the president, with the advice and consent of the Board
17 of Directors.

18 The duties of joint committees and terms of office of committee members are determined by
19 the Board of Directors in cooperation with the related organizations.

20 **Section 10.8 Councils.** Councils are established by the Board of Directors or the House of Delegates
21 for the purpose of coordinating and implementing statewide activities involving the “common”
22 welfare of the Association.

23 **Section 10.9 Reports and Records.** The official reports and records of all committees, foundations,
24 councils, and task forces are filed with the executive director and are official records of the
25 Association.

26 **Section 10.10 Function.** Unless provided in the Constitution, all committees, councils, and task
27 forces are advisory to the Board of Directors and House of Delegates.

28 **Section 10.11 Staff Services.** The services of the staff of the Association are available to
29 committees.

30 **Section 10.12 Number of Meetings.** The Board of Directors determines the number of meetings
31 held by any committee, council, or task force for which expenses are paid.

32 **Section 10.13 Committee Agenda.** Agendas for meetings are prepared by the executive director, or
33 their designee, after consultation with the chair. The chair, with the assistance of the executive
34 director, or their designee, is responsible for sending notices of the time and place of all meetings to
35 the members. Association members and guests are encouraged to attend meetings and may
36 participate in discussions of the committees with the permission of the chair.

37 **Section 10.14 Quorum Requirements.** The members present at committee, council and task force
38 meetings constitute a quorum.

40 ARTICLE XI--RESPONSIBILITIES OF COMMITTEES AND COUNCILS

41 **Section 11.1 Definition of Duties.** Standing committees and councils are responsible for the duties
42 set forth in this article and for such other duties as the Board of Directors may specify.

43 **Section 11.2 The Council of Local Presidents.** The Council of Local Presidents is comprised of the
44 presidents and presidents-elect or vice presidents of local education associations, the presidents of
45 UniServs affiliated with the Utah Education Association, and the president of the UEA Aspiring
46 Educators Program and UEA-Retired, and such other members as authorized by the Board of
47 Directors. The Council of Local Presidents: (a) serves as liaison between the legislative and
48 executive bodies of the Utah Education Association; (b) appoints from among its members the

1 Agenda and Reviewing Committee which makes recommendations to the Board of Directors relating
2 to an agenda for meetings of the House of Delegates; (c) studies issues which come before it; (d)
3 holds meetings called by the Board of Directors to develop ways of implementing and advancing the
4 program of the Association in each affiliated local education association; and (e) provides training
5 for its members within regularly scheduled meetings.

6 **Section 11.3 Political Action Committee.** Subject to guidelines adopted by the Board of Directors,
7 the Political Action Committee recommends candidates for public office for UEA support and
8 develops political education programs for members.

9 **Section 11.4 Bargaining, Professional Rights and Responsibilities Committee.** The Bargaining,
10 Professional Rights and Responsibilities Committee shall serve as the initial appeal board from
11 actions taken by UEA General Counsel denying, approving, or taking other actions on requests for
12 legal services; and may: (a) train members to protect and promote the employment rights of
13 members through bargaining and professional negotiations; (b) promote and encourages Association
14 members to engage in conduct consistent with the ethical principles set forth in the UEA-NEA Code
15 of Ethics of the Education Profession; (c) direct case studies involving professional conduct and
16 ethical behavior; (d) foster professional attitudes and encourage professional performance on the part
17 of each member; and (e) promote sound personnel policies that will clearly define the civil and
18 human rights of members.

19 **Section 11.5 Elections Committee.** The Elections Committee: (a) issues and validates petitions for
20 elective office; (b) notifies candidates of petition status and campaign procedures; (c) prepares
21 ballots; (d) determines the validity of all ballots; (e) verifies election results and notifies candidates;
22 and (f) hears all election challenges and makes recommendations to the Board of Directors. If a
23 member of the Elections Committee is a candidate at any time during the elections process, the
24 representative body will select an alternate to replace the committee member during the election
25 cycle.

26 **Section 11.6 Organizing and Membership Capacity Building Committee.** The Organizing and
27 Membership Capacity Building Committee will be responsible for helping locals or UniServs: (a)
28 establish and/or continue an active membership committee; (b) create a written local
29 membership/organizing plan that establishes goals, outlines strategies, and builds capacity; (c)
30 establish methods to collect and analyze local membership data reported to the UEA; (d) establish
31 the norm of including a membership and/or organizing goal in every activity of the local or UniServ;
32 and (e) communicate and collaborate membership and organizing best practices. The Organizing and
33 Membership Capacity Building Committee is subject to the guidelines adopted by the Board of
34 Directors for the Committee and makes recommendations to the Board of Directors for the
35 recruitment, retention, reclamation, motivation and engagement of members.

36 **Section 11.7 Ethnic Minority Affairs Committee.** The Ethnic Minority Affairs Committee
37 (EMAC) will be responsible for: (a) encouraging the creation of and continuing the support of active
38 UniServ and local EMAC committees; (b) creating a plan to help the association meet the NEA
39 Bylaw 3-1(g), by using the UEA Minority Involvement Plan (MIP) to establish goals, outline
40 strategies, implement and build leadership capacity for American Native or Alaska Native, Asian,
41 Native Hawaiian or Pacific Islander, Black or African American, Latin(o/a/x/e), Hispanic and
42 Chican(o/a/x/e), Middle Eastern and North African, and Multiracial people; (c) gathering data
43 statewide on a regular basis to inform the work of the UEA; (d) establishing a culture of using an
44 equity lens in all association activities; (e) communicating and collaborating membership best
45 practices for the recruitment, retention, reclamation, motivation and engagement of Native People
46 and People of Color; (f) actively advocating for social and education strategies on equity, justice and
47 inclusion. The Ethnic Minority Affairs Committee will be chaired by the UEA Ethnic Minority
48 Director.

1 **Section 11.8 Health and School Safety Committee.** The Health and School Safety Committee will
2 be responsible for helping locals and/or UniServs: (a) establish a Health and School Safety
3 Committee and serve as a liaison with them; (b) curate health and safety-related resources for
4 members, continuously updated to reflect the latest data and strategies; (c) regularly assess best
5 practices, new developments, and emerging challenges in health and school safety; In addition, the
6 committee will (d) provide biannual updates to the Board, with additional reports as needed, on
7 current projects, resources identified, and recommendations; and (e) Identify opportunities for
8 educators to advocate for health and school safety at the local, state, or national level.

9
10 **ARTICLE XII--NOMINATIONS AND ELECTIONS**

11 **Section 12.1 Method of Election.** The UEA Board of Directors, after having received the
12 recommendation of the Elections Committee, may decide whether the election for UEA officers and
13 directors or a ballot question is conducted by paper ballot and/or electronic voting. The decision
14 shall be made prior to January 1 of any year in which an election is held or voting conducted.

15 **Section 12.2 Electronic Voting.** “Electronic voting” means a method of voting that allows each
16 member to record by electronic means a vote for each candidate for whom the member is entitled to
17 vote or to vote for or against a question. Electronic voting shall only be approved by the Board of
18 Directors if it is satisfied: (1) the election is secure from multiple voting by a member, (2) non
19 members cannot vote, (3) the possibility of fraud or error is minimal, (4) members will have an
20 opportunity to vote at school or at another location easily accessible to members, (5) the member’s
21 vote is secret, and (6) the electronic ballot permits a write-in vote in the general election.

22 **Section 12.3 Time and Method of Nomination.** Candidates for UEA elective office may become
23 candidates either by: (1) a nomination petition signed by any member of UEA, or (2) by signing and
24 filing a declaration of candidacy, and causing the nominating petition or the declaration to be
25 delivered to the executive director before 5:00 p.m., the second Wednesday in January preceding the
26 election. The nominating petition or the declaration of candidacy shall contain (a) the name of the
27 person filing the nominating petition or the declaration, (b) the office or position for which the
28 candidate seeks election, (c) the name of the local association of which the candidate is a member,
29 and (d) other information the Elections Committee, with the concurrence of the Board of Directors,
30 may require.

31 Any member who has become a candidate may, any time 30 days before a mail-in or paper
32 ballot election, withdraw their candidacy. For electronic or online elections, the candidate may
33 withdraw at any time five (5) days before the election. To withdraw, the candidate will notify the
34 executive director in a written statement containing the name of the person, the office or position for
35 which the person had sought election, the date of withdrawal, and the signature of the candidate. Any
36 candidate who has withdrawn may become a candidate for any office, if the subsequent nomination
37 petition or declaration of candidacy is properly filed with the executive director before 5:00 p.m., the
38 second Wednesday in January preceding the election.

39 If a candidate withdraws during the election the Elections Committee shall: (a) notify every
40 opposing candidate that the candidate has withdrawn; (b) send email notification to members
41 affected by this action informing the member that the candidate has withdrawn and votes cast for
42 that candidate will not be counted; (c) post notice of the withdrawal on the Association’s website;
43 and if practicable, remove the candidate from the ballot.

44 The executive director shall notify in writing any member nominated by petition that they
45 have been nominated for a UEA office and provide the member with a copy of the nominating
46 petition together with a statement that the member may withdraw as a candidate by notifying in
47 writing the executive director of their decision to not be a candidate at least 30 days before the
48 election.

1 If, at least 30 days prior to a general election, a candidate withdraws leaving no candidate for
2 the office, the UEA Board of Directors will nominate at least one qualified member to be a candidate
3 for the statewide office to be voted for in the general election. If the office is for the Board of
4 Directors, the UniServ Council for the UniServ shall be requested by the Board of Directors to
5 recommend the names of one or more qualified members to be a candidate for that office.

6 **Section 12.4 Nominations by Board of Directors.** If no member files a declaration of candidacy for
7 an office to be filled in the next general election, the Board of Directors shall nominate two qualified
8 members to be candidates for the office. The Board of Directors shall establish a procedure to
9 determine the best qualified candidates. Unless a special meeting is called, the Board of Directors
10 makes nominations required by this section at the first regular board meeting after the second
11 Thursday in January preceding the election.

12 **Section 12.5 Notification of Local Associations.** The UEA president, prior to February 15, advises
13 local presidents about the election procedures of the UEA and encourages local associations and
14 association representatives to comply with the provisions of this Article.

15 **Section 12.6 When Primary Required-Nomination.** If the number of candidates exceeds twice the
16 number for any office or position to be filled by election, a primary is held for that office or position,
17 except there is no primary for the NEA Representative Assembly Successor Delegates. The
18 Elections Committee places on the general election ballot twice the number of candidates for each
19 office or position as there are positions or offices to be filled in the general election from those
20 candidates receiving the greater number of votes in the primary election.

21 **Section 12.7 Time of Primary.** Each eligible member will receive a primary election ballot 21 days
22 after the declaration of candidacy due date. Voting will be open for 21 days and closes at 5:00 p.m.
23 of the 21st day. If voting is by electronic means, the vote must be recorded in a secure database
24 designated by the Elections Committee.

25 **Section 12.8 Deadline for Returning Primary Ballots.** If voting is by paper ballot, ballots must be:
26 (a) received by the UEA office not later than 5:00 p.m. of the 21st day; or (b) mailed to and received
27 by the UEA office not later than 5:00 p.m. of the 21st day. If voting is by electronic means, the vote
28 must be recorded in a secure database designated by the Elections Committee.

29 **Section 12.9 Method of Election.** Except as above provided, primary elections are conducted in the
30 same manner as are general elections.

31 **Section 12.10 Preparation of Ballots.** The Elections Committee prepares ballots for each member
32 from the official UEA membership list. If voting is by electronic means, the Election Committee
33 prepares and approves the form of electronic ballots.

34 **Section 12.11 Time of General Election.** Each eligible member will receive a general election
35 ballot 28 days after voting in the primary election ends. Voting will be open for 21 days and closes at
36 5:00 p.m. of the 21st day. If a primary election is not necessary, the general election will be held on
37 the primary election dates described in Section 12.7.

38 **Section 12.12 Order of Names on Ballot.** The order of the names of candidates for each office on
39 the ballots is determined by lot under rules established by the Elections Committee and approved by
40 the Board of Directors. The Elections Committee gives all candidates at least 24 hours notice of the
41 time, place, and purpose of the meeting to determine the order of names on the ballot. The meeting is
42 to be scheduled at a reasonable time by the Elections Committee. The failure of a candidate or their
43 representative to attend the meeting does not affect the election or order of names on the ballot.

44 **Section 12.13 Contents of Ballot.**

- 45 **a.** Each ballot contains (1) the names of the candidates under the name of the office for which
46 the person is a candidate, (2) the term of office, (3) write-in spaces for the number of persons
47 for which each voter may vote for each office or position in general elections, and (4)
48 instructions to voters.

- 1 **b.** With the approval of the Board of Directors, the Elections Committee determines the form of
2 balloting.
- 3 **c.** Where a question is presented to the voters, it shall be in a form which can be answered
4 "yes" or "no" or "for" or "against."
- 5 **d.** In elections using paper ballots a substitute ballot may be given to any voter who spoils their
6 ballot. The substitute ballot may be voted in place of the regular ballot. The spoiled ballot
7 must be firmly attached to the substitute ballot and placed with the spoiled ballot in a
8 substitute ballot envelope provided and clearly marked "substitute ballots." During regular
9 business hours, UEA shall provide assistance to members who experience problems voting.
10 UEA may fax or provide an electronic copy of the ballot capable of being printed by a
11 member who requests it, if UEA is satisfied (1) the member did not vote electronically, (2)
12 will be unable to vote electronically, and (3) is otherwise entitled to vote in the election. The
13 ballot must be mailed to and received by UEA by the deadline for mailing and receiving
14 paper ballots.
- 15 **e.** Write-in candidates are not permitted in the primary election. If the voter desires to write in
16 the name of a candidate in the general election, the name must be written in the space
17 provided on the ballot for write-in votes. In elections using a paper ballot, as an alternate
18 method of write-in voting, pre-printed stickers provided by the candidate may be affixed in
19 the write-in space provided on the ballot.
- 20 **f.** Local affiliates of the Utah Education Association may conduct their elections in conjunction
21 with UEA primary and general elections, providing the local affiliate's election and voting
22 procedures are consistent with these election bylaws and do not, in the judgment of the UEA
23 Elections Committee, interfere with the Association's election.

24 **Section 12.14 Retired Members and Others Voting by Mail or Electronically.** In elections using
25 paper ballots, the Elections Committee mails ballots to retired members and members who do not
26 have direct access to their building or worksite representative. Ballots will be mailed to the address
27 shown on the UEA membership list the same date the ballots are provided. These ballots contain the
28 names of the candidates from the UniServ of which the person is a member and candidates for
29 statewide office. The ballots must be returned or postmarked within the time set forth in Sections
30 12.7 or 12.8. If the election is by electronic means, retired members, in lieu of voting electronically,
31 may participate in the election by complying with the requirements of section 12.22 for absentee
32 voting.

33 **Section 12.15 Lost Ballots.** If in an election using paper ballots the ballots are not received by the
34 association representative within five days after they were or should have been mailed, the
35 association representative shall contact the Membership Department, which voids the numbers on
36 the ballots issued to the association representative and assigns to the association representative ballot
37 numbers which have not been previously assigned.

38 The association representative prepares substitute ballots by: (a) copying the ballot from
39 another faculty, (b) by designing a substitute ballot from directions from the Membership
40 Department, or (c) securing substitute ballots from the Membership Department. The association
41 representative also prepares a signature list for the signatures of members voting in the elections.
42 The substitute ballots and the signature list shall be returned to the UEA office in the manner
43 required by sections 12.7 or 12.8.

44 **Section 12.16 Early Mailing.** In elections using paper ballots the Elections Committee may mail
45 ballots to association representatives up to 14 days prior to the regular mailing if it determines that a
46 faculty or faculties of a school district would experience extreme difficulty in voting due to a closure
47 of the school or district, spring vacation, or any unforeseen event. The Elections Committee may
48 move the deadline for the return of ballots forward for the faculty or the faculties of the school
49 district up to the same number of days that the ballots are mailed early to the association

1 representatives. Where the deadline for receipt of ballots is moved forward, the Elections Committee
2 provides a letter to each local president and to each association representative affected by the
3 deadline change in each ballot container informing the association representative of the deadline for
4 return of ballots and of the consequences of failing to have the ballots delivered to the UEA office or
5 postmarked by the date of the deadline for delivering or postmarking the container for ballots if
6 mailed to the UEA office.

7 **Section 12.17 Distribution of Ballots.** In elections using paper ballots, on receipt of the ballots, the
8 association representative immediately distributes the ballots to the members whose names appear
9 on the membership list. Each member verifies receipt of a ballot by signing their name on the
10 signature list next to their name. After ballots are marked by the member, the ballots and the
11 signature list are returned to the association representative and placed in the container provided by
12 the Membership Department. Before returning or mailing the ballots, the association representative
13 seals the container.

14 **Section 12.18 Early Receipt of Ballots.** Ballots received prior to the deadline for returning ballots
15 remain sealed until the deadline for returning ballots.

16 **Section 12.19 Deadline for Returning General Election Ballots.** In elections using a paper ballot,
17 ballots must be: (a) received by the UEA office not later than 5:00 p.m. of the last date of voting, as
18 outlined in section 12.11 or (b) mailed to and received by the UEA office not later than 5:00 p.m. of
19 the last date of voting, as outlined in section 12.11. In elections using electronic ballots, the vote
20 must be recorded in a secure database designated by the Elections Committee.

21 **Section 12.20 Extension of Voting Deadlines.** Notwithstanding deadlines for receiving electronic
22 votes, the Elections Committee may extend the deadline for receiving electronic votes by two
23 business days after resolution if it determines the system for receiving and recording votes
24 malfunctioned and members have been denied or might be denied their right to vote in the election.
25 If the Elections Committee extends the deadline for receiving electronic votes, the vote shall not be
26 counted, tabulated or compiled until after the extended deadline for receiving votes has passed.

27 **Section 12.21 Right to Vote.** Only those members of the Association authorized by the Constitution
28 and the Bylaws can vote in UEA elections. Any person whose name appears on the UEA
29 membership list has the right to receive a ballot and vote in UEA elections. A person whose name
30 does not appear on the membership list is entitled to vote if a telephone call from the association
31 representative to the Membership Department confirms that the person is a member as of the date of
32 voting.

33 **Section 12.22 Absentee Votes.** Any member may request that an absentee ballot be mailed to them
34 by providing the Elections Committee with a signed affidavit in which the member states their name,
35 that they will be unable to vote in the primary or general election or both, and the address where the
36 absentee ballot is to be mailed. The absentee ballot is accompanied by a letter from the Elections
37 Committee instructing the voter to return the absentee ballot to the UEA office within ten days after
38 the date that the absentee ballot was mailed to the member. Absentee ballots must be received in the
39 UEA office on or before the deadline for receiving the mailed-in election ballots.

40 Absentee ballots are requested at least seven but not more than 14 days prior to the regular
41 deadline for providing ballots.

42 The name of any member who receives an absentee ballot is removed from the membership
43 list for the election(s) for which the member receives an absentee ballot.

44 **Section 12.23 Votes.** The Elections Committee oversees the procedures for tabulating election
45 returns. The candidate receiving the highest number of votes for the office shall be elected to the
46 office. If two or more candidates receive an equal and highest number of votes for the same office,
47 and if the results after a recount remain the same, the candidates with the equal and highest number
48 of votes shall appear before the Board of Directors at a regular or special meeting and draw lots to

1 determine which candidate is elected. Reasonable notice of the time of the meeting at which lots are
2 to be drawn shall be given candidates.

3 **Section 12.24 Report-Election Returns.** The Elections Committee verifies and announces election
4 results, provides certificates of election to the candidates elected according to these Bylaws and
5 notifies the Board of Directors at its meeting following the general election of the results of elections
6 conducted under the committee's responsibility.

7 **Section 12.25 Campaign Funds Disclosure.** Using forms provided by the UEA Elections
8 Committee, each candidate for statewide UEA office shall file a report of campaign revenue and
9 expenses with the Executive Director. Reports will be due 30 days following the certification of the
10 election. Reports of campaign revenues and expenses shall be printed in an appropriate UEA
11 publication.

12 **Section 12.26 Election Challenge.** Any candidate may challenge the vote or the propriety of the
13 election by notifying the Elections Committee in writing within ten days after the official
14 announcement of the election results and shall have the right to appear before the Elections
15 Committee to give reasons for the challenge. No person may challenge the results or propriety of an
16 election unless the challenge is made within ten days after the official announcement of the election
17 results. The Elections Committee, at its discretion, may conduct a recount of the ballots or inquire
18 into the propriety of the election. Any decision of the Elections Committee may be appealed to the
19 Board of Directors whose decision is final. When an election is contested because of an irregularity,
20 improper conduct, or a violation of this Article by any person, the Board of Directors, on clear and
21 convincing proof of the irregularity, improper conduct, or violation, may order a new election if it
22 also finds the irregularity, improper conduct, or violation changed the results of the election.

23 **Section 12.27 Dues and Assets of Associations.** No monies received by the UEA or its local
24 affiliates from dues, assessments, or the proceeds therefrom on any asset may be contributed or
25 applied to promote the candidacy of any candidate in an election for an office in the NEA, UEA, or
26 its local affiliates, except for flyers and/or videos prepared in behalf of candidates in statewide UEA
27 elections which are printed/produced and mailed by UEA in accordance with procedures established
28 by the UEA Board of Directors. Such monies may also be used for notices, factual statements of
29 issues to be voted on not involving candidates, and other expenses necessary for holding an election.
30 If there is an allegation of a violation of this Bylaw, the Board of Directors shall, after a hearing,
31 remove from office any candidate found to have willfully violated this section and may order a new
32 election for any office where the Board determines that monies were used in violation of this section
33 by the prevailing candidate or the candidate's campaign staff or committee.

34 **Section 12.28 Non-Interference by Staff.** No employee of the Utah Education Association or a
35 UniServ shall interfere or participate in a local, state, or national association election campaign.
36 Normal staff duties (e.g., assisting members with voting system access or navigation,
37 communicating with candidates regarding allowable components of candidacy, acting on election
38 committee directives, candidate recruiting, etc.) shall not be considered interference or participation
39 by staff. Additionally, an action by staff that is purposeful in nature and that creates an obstacle for
40 any candidate may be considered interference. Staff participation, with the exception of staff UEA
41 members voting as described in Article I, Section 1.1.e, shall be defined as lending support to or
42 promotion of any candidate beyond normal staff duties.

43 No candidate may suggest or encourage interference or participation by staff. Any member of
44 the Association may file a written complaint with the Elections Committee setting forth the facts
45 which the member believes to constitute a violation of this section. The Elections Committee shall
46 submit the complaint to the UEA Executive Director. The UEA Executive Director and/or their
47 designee(s) shall investigate the complaint and report back to the Elections Committee and the UEA
48 Board of Directors regarding the validity of the complaint and provide a recommendation regarding

1 the impact to the election. If, through an investigation, the complaint is determined to be valid, the
2 Elections Committee may recommend and the Board of Directors may order a new election.

3 **Section 12.29 Compliance and Penalty.** Except where expressly otherwise provided, the provisions
4 of this Article are mandatory. Strict compliance is required. Declarations of candidacy not received
5 or ballots not postmarked or received within the time required for whatever reason, including the
6 failure of the postal service to deliver the mail before the deadline, shall not be counted and shall not
7 affect any election.

8 **Section 12.30 Special Elections.** The Board of Directors may call a special election for the members
9 to vote on any subject appropriate for election not otherwise provided for in this Article. Unless
10 otherwise required by law, the Articles of Incorporation, or the Constitution of the UEA, special
11 elections shall be conducted according to the procedures for general elections, but: (a) written notice
12 of the date, place of voting, and purpose of the special election is distributed to all local presidents
13 and association representatives and distributed in an official UEA publication at least five but not
14 more than 20 days prior to the special election date, (b) the special election question may be
15 contained on the primary election ballot, the general election ballot or may be on a separate ballot,
16 (c) special election ballots are mailed and returned within the same number of days provided for
17 mailing and returning general election ballots, and (d) if the special election is a question for the
18 membership, it shall be concisely stated and contain boxes to answer the question "yes" or "no" (or
19 "for" or "against").

20 **Section 12.31 Proxy Voting.** Proxy voting is prohibited.

21 22 **ARTICLE XIII--FINANCIAL REPORT**

23 **Section 13.1 Annual Report.** A financial report of the revenues and expenditures of the Association
24 shall be published for the House of Delegates. This report shall include the aggregate salaries of the
25 Association staff, along with the salary and fringe benefits of the president.

26 27 **ARTICLE XIV--UNISERV**

28 **Section 14.1 UniServ.** The Utah Education Association may, with the National Education
29 Association and the local associations, provide a UniServ program to members and locals with
30 professional and support staff services and facilities to implement, improve, and coordinate
31 programs of the Association. The UniServ staff are under the control and direction of the elected
32 leaders of the local association(s), but nothing in this section prevents a local UniServ from entering
33 into an agreement with the UEA for the administration of the local UniServ.

34 **Section 14.2 Contract.** A written contract for fund sharing and administration of the UniServ
35 program shall be entered into between the local association(s), the Utah Education Association, and
36 the National Education Association.

37 **Section 14.3 Requirements.** Each UniServ shall meet operating requirements developed
38 cooperatively with the local association(s), the Utah Education Association, and the National
39 Education Association.

40 **Section 14.4 UniServ Funds Distribution.** The UniServ program in Utah includes:

- 41 **a.** A minimum support program available in all areas of the state through a state funding
42 program designed to provide funds (including NEA UniServ funds and local association
43 contributions) required for the program statewide.
- 44 **b.** The UniServ distribution formula is composed of three factors: (1) a professional staff cost
45 factor, (2) a per-member amount based on a minimum of 1,200 members, and (3) a per-
46 member amount based on the actual membership of each unit.
- 47 **c.** The professional staff cost factor is ten percent of the UniServ portion of UEA dues. The
48 amount of money which ten percent of UniServ dues generates is distributed on a point
49 system to all units. The point system provides:

- 1 i. Each UniServ director, organizer, or equivalent is given one point for the current
- 2 year of service and one additional point for each previous year as a UniServ director,
- 3 organizer, or equivalent to a maximum of 12 points. A UniServ director, organizer,
- 4 or equivalent with 14 or more prior years of service as a UniServ director, organizer
- 5 or equivalent has 13 points.
- 6 ii. The revenue generated by ten percent of the UniServ portion of UEA dues shall be
- 7 divided by the total number of points to establish a dollar value for each point.
- 8 iii. UniServ units receive funding equal to the number of points generated by their
- 9 director(s) multiplied by the value of each point.
- 10 iv. No additional points are given directors for more than 15 years of UniServ
- 11 employment.
- 12 **d.** Eighty percent of the funds generated by the UniServ portion of UEA dues is distributed to
- 13 all units on a per-member basis. Each unit will receive funding for a minimum of 1,200
- 14 members even if actual membership is less than 1,200.
- 15 **e.** Ten percent of the funds generated by the UniServ portion of UEA dues will be distributed to
- 16 all units on a per-member basis.
- 17 **f.** To qualify for UEA UniServ funding, each local association shall comply with NEA UniServ
- 18 guidelines by annually assessing each active member at least \$5.00 for inclusion in its
- 19 UniServ budget.
- 20 **g.** All UEA UniServ dues shall be paid to the UEA for distribution according to the established
- 21 formula.
- 22 **h.** UniServ dues submitted to the UEA by the local association shall be paid to the respective
- 23 UniServ on or before the 10th day of each month based on the established formula and with
- 24 increments commensurate with the percentage of dues that have been remitted to UEA.
- 25 UniServ dues paid to the UEA shall not be held beyond the 10th of each month following the
- 26 receipt of dues from the local association.
- 27 **i.** Notwithstanding anything else contained in this section, no UniServ shall receive less than
- 28 90% of the average nor more than 130% of the average active member payment to each
- 29 UniServ determined as calculated for the fiscal year.

30 **Section 14.5 UniServ Budget Report.** UEA shall provide each UniServ written guidelines

31 specifying what is to be included in the UniServ budget report.

32 **Section 14.6 Program Guidelines.** To qualify for funds from the UEA UniServ account, each

33 UniServ must provide:

- 34 (1) A full-time professional staff member for each funding unit that qualifies under NEA's
- 35 guidelines.
- 36 (2) A full-time secretary or a technological link to a secretarial pool for each funding unit
- 37 that qualifies under NEA's guidelines.
- 38 (3) All salaries and salary-related expenses (fringes and taxes) for all professional and
- 39 secretarial staff employed.
- 40 (4) Adequate office space for carrying out the UniServ's activities.
- 41 (5) Service, equipment, and maintenance as required for a successful UniServ operation.
- 42 (6) All office operation costs as required for a successful UniServ operation.
- 43 (7) Staff travel (out-of-state and in-state) as required for a successful operation.
- 44 (8) An annual external financial review conducted using agreed upon procedures by each
- 45 local option UniServ. If the financial review finds any anomalies, then an external audit will
- 46 be conducted by the affected local option UniServ.

1 **Section 14.7 Duty of Executive Director to Enforce.** It is the responsibility of the UEA executive
2 director to enforce these guidelines prior to distributing funds to the UniServ.
3

4 **ARTICLE XV--AMENDMENTS**

5 **Section 15.1 Required Vote.** These Bylaws may be amended by a majority vote of the delegates
6 present at a meeting of the House of Delegates. The president and the executive director sign all
7 bylaws adopted by the House of Delegates. The executive director maintains the originally executed
8 copies of the Articles of Incorporation, the Constitution, the Bylaws, and the Standing Rules of the
9 Association, together with amendments thereto, in a book kept for that purpose.
10

11 **ARTICLE XVI--DEFINITIONS AND CONSTRUCTION**

12 **Section 16.1 Classroom Educator.** Classroom educator means any person who is licensed, where
13 required, and a major part of whose time is spent in direct contact with students or who performs
14 allied work which results in placement of the person on a local salary schedule for classroom
15 educators.

16 **Section 16.2 Ethnic Minority.** Ethnic minority is a socially constructed grouping of people based
17 on culture, tribe, language, national heritage, and/ or religion and includes American Native or
18 Alaska Native, Asian, Native Hawaiian or Pacific Islander, Black or African American,
19 Latin(o/a/x/e), Hispanic and Chican(o/a/x/e), Middle Eastern and North African, and Multiracial
20 people.

21 **Section 16.3 Administrator and Supervisor.** Administrator and supervisor means any person who
22 has continuing authority to hire, transfer, discipline, dismiss, or otherwise direct employees, or to
23 effectively recommend any of the above actions.

24 **Section 16.4 Education Support Professional.** Public school employees who support students in
25 various ways through nine career families: clerical services, custodial and maintenance services,
26 food services, health and student services, paraeducators, security services, skilled trades, technical
27 services, and transportation services.

28 **Section 16.5 Aspiring Educator Member.** Any student enrolled in a program of study in an
29 accredited institution of higher learning which qualifies the student for a career in education may
30 become an aspiring educator member, but any person eligible for active or reserve membership is
31 not eligible for aspiring educator membership.

32 **Section 16.6 Days and Dates.** Whenever these Bylaws require that an act be done within a defined
33 number of days, the days shall be computed using calendar days by excluding the first day and
34 including the last day.

35 **Section 16.7 Holidays.** Whenever the date or last day on which any act is to be performed is a UEA
36 recognized holiday, the date or last day on which the act may be performed is the next succeeding
37 business day.

38 **Section 16.8 Duties.** Whenever these Bylaws require an officer or employee to perform a duty, the
39 duty may be performed by other officers or employees under the direction of the officer or
40 employee.

41 **Section 16.9 Professional Staff Cost Factor.** Professional staff cost factor is the method to provide
42 funds to compensate professional staff members for longevity for Utah UniServ staff experience.

43 **Section 16.10 Sparsity Unit.** A sparsity unit is a unit which has between 800 and 1200 members
44 and meets the NEA geographical requirements. This definition applies to units created after the 1994
45 Fall House of Delegates.

46 **Section 16.11 Substantially Injurious.** For purposes of interpretation of the term as used in the
47 UEA governing documents, substantially injurious conduct is behavior that would cause any injury
48 or harm of a significant nature. It need not be severe, serious or repetitive conduct. Conduct that

1 would bring or would likely bring material, financial or other real harm to the Association; inflict or
2 tend to inflict (whether knowingly, intentionally or recklessly) damage upon the Association or its
3 reputation with other local affiliates, members or the public at large. What is excluded by the word
4 “substantially” is conduct that is wholly insignificant or negligible.

5 **Section 16.12 Member in Good Standing.** A UEA member in good standing is a member who: has
6 signed a continuing membership application; is enrolled in the highest category of membership for
7 which they qualify; has commenced paying dues obligations; is current in their dues obligations;
8 fulfilled all requirements of membership in the Association and has neither withdrawn their
9 membership nor had their membership revoked nor suspended after appropriate proceedings
10 consistent with lawful provisions of the constitution and bylaws.

11 Only UEA members in good standing are able to:

12 **a.** Be elected to or hold office at any level of the Association, including as delegates to the UEA
13 House of Delegates and NEA Representative Assembly.

14 **b.** Attend, participate and vote at Association meetings.

15 **c.** Attend and participate at conferences or other meetings requiring the use of UEA member
16 dues dollars.

17 **d.** Serve on Standing Committees or Task Forces of the Association.

18 **e.** Receive the full range of legal services offered through the NEA/UEA Unified Legal
19 Services Program as specified in the program parameters.


20 i. Aspiring educators in good standing are ineligible for the Unified Legal Services
21 program but are eligible for the NEA Educators Employment Liability Program
22 (EEL).

23 ii. Early enrollment members in good standing are eligible for the Legal Services
24 Program once the dues obligation commences.

*Last amended by the House of Delegates of the Utah Education Association on the 9th day of
May, 2026.*



RENEE PINKNEY, President



LISA NENTL-BLOOM, Interim Executive Director

RP/LNB:hs