



BYLAWS

2026-2027

(Last Amended on May 9, 2026)

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AEA Bylaws

In order to elevate the education profession and promote the cause of education, the Arizona Education Association has adopted the following Bylaws.

ARTICLE I - MEMBERSHIP

Qualifications

Section 1. All persons actively engaged in or retired from the profession of teaching or other educational service, or any other persons interested in advancing the cause of education, shall be eligible under the unified plan for membership in the Arizona Education Association and the National Education Association. Any persons joining the Arizona Education Association shall agree to subscribe to its purposes and objectives, to adhere to the Code of Ethics of the Education Profession of the National Education Association, and to abide by the provisions of the Constitution and the Bylaws. An application for membership or the continuance of membership shall be subject to review and may be rejected by the Board of Directors.

Classes of Membership

Section 2. The membership of the Association shall consist of eight (8) categories: Active, Staff, Student, Retired, Honorary, Reserve, Substitute, and Associate.

Requirements for Active Membership

- a. Active membership shall be either Certified or Educational Support.
 1. Active - Certified membership shall be open to any person who is engaged in or who is on a limited leave of absence from professional educational work in a public school, college, university or similar educational institution or agency or who has left professional educational work and is serving full time as an executive officer of the Association, a local affiliate of the Association, or the NEA. Employees of either (1) charter schools whose charter is not held by a public entity or (2) private entities that employ personnel required by school districts are not eligible for an Active - Certified membership.

Privileges of an Active Member

Active members shall hold or be eligible to hold, where required by their employment, an appropriate regular teaching, resident teaching, substitute or vocational or technical certificate or, where no certificate is required, qualify as defined below:

“Professional educational work” is interpreted to mean that of teaching and directly related specialized educational services authorized by the appropriate board, governing body or legal agency, and includes classroom teachers, administrators, researchers, business managers, registered nurses currently licensed by the state of Arizona, consultants, school psychologists, social workers, speech and hearing clinicians and other similar classifications of personnel engaged in professional services of a similar nature in schools, colleges, universities or other institution or agency.

Educational Support Members

2. Active - Educational Support membership shall be open to any person employed in a public school, college, university or similar educational institution or agency who is not eligible for Active-Certified membership, including a person who is on a limited leave of absence from such employment, or who has left such employment and is serving full time as an executive officer of the Association, a local affiliate of the Association, or the NEA. Employees of either (1) charter schools whose charter is not held by a public entity or (2) private entities that employ personnel required by school districts are not eligible for an Active - Educational Support membership

Active - Educational Support is intended to include such educational employees as maintenance, secretarial, bus drivers, teacher aides, crossing guards, food service, custodian, computer services and other support positions.

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Retired Members

- b. Retired membership shall be open to any retired employee of a school district, college, university or other institution devoted primarily to educational work.

Retired members shall be members of NEA-Retired and the statewide local affiliate, Arizona Education Association-Retired (AEA-R).

Staff Membership

- c. Staff membership shall be open to any person employed by the Association or any of its affiliates in a professional staff position.

Student Membership

- d. Student membership shall be open to any student enrolled in or preparing for a teacher-education program in an accredited college or university, except that anyone who has ever been eligible for Active membership through certified educational employment shall not be eligible for Student membership.

Honorary Membership

- e. At the beginning of a membership year when a member becomes 90 years of age, they will be granted an honorary AEA membership and cease paying AEA dues.

Reserve Membership

- f. Reserve membership shall be open to any person who is on a leave of absence of at least six (6) months from the employment that qualifies them for Active-Certified or Active-Educational Support membership or who has held Active-Certified or Active-Educational Support membership in the Association but whose employment status no longer qualifies that individual for such membership.

Substitute Membership

- g. An educational employee employed on a day-to-day basis who is eligible for membership in the Active category shall have the option of joining the Association as a Substitute member. Substitute members shall receive Educators Employment Liability coverage and other benefits and services authorized by the Board of Directors.

Associate Membership

- h. Associate membership shall be open to any person who is not employed or contracted in a public school or district and who is interested in advancing the cause of public education.

Rights and Limitations

Section 3. The rights and limitations for each class of membership shall be as follows:

- a. Active membership shall be limited to persons who support the principles and goals of the Association and maintain membership in the local and national affiliates where eligible. Active members shall be entitled to receive publications and services as may be approved by the Board of Directors. Active members shall be entitled to nominate, to vote, and to hold elective or appointive office.
- b. Retired membership shall be limited to persons who support the principles and goals of the Association and maintain membership in the state and national affiliates. Retired members shall be entitled to receive such publications and services as may be approved by the Board of Directors. Retired members shall have the right to vote, to hold elective or appointive positions in the Association, and to be counted toward representation entitlement for the Board of Directors and Delegate Assembly, as provided in the Constitution and the Bylaws.
- c. Student membership shall be limited to persons who support the principles and goals of the Association and maintain membership in the local and national affiliates where eligible. Such members shall be entitled to receive publications and services as may be approved by the Board of Directors.
- d. Reserve membership shall be limited to persons who support the principles and goals of the Association and maintain membership in the local and national affiliates where eligible. Reserve members may not vote or hold elective positions in the Association.
- e. Honorary membership shall be limited to members who are 90 years of age or older by September 1 of the current membership year. Honorary members shall have all the same rights and privileges as retired members.

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- f. Substitute membership shall be limited to persons who support the principles and goals of the Association and maintain membership in the local and national affiliates where eligible. Substitute members may not vote or hold elective or appointive positions in the Association.
- g. Staff membership shall be limited to persons who support the principles and goals of the Association, and such members shall be entitled to receive publications and services as may be approved by the Board of Directors.
- h. Associate membership shall be limited to persons who support the principles and goals of the association and who are not eligible for any other class of membership, such members shall be entitled to receive publications and services as may be approved by the Board of Directors. Associate members shall not vote or hold elective positions in the association.

Section 4. The Executive Director shall furnish a certificate of continuing membership to each appropriate member upon payment of dues, declaring the individual to be a member in good standing for as long as their obligations are met and stating the rights and privileges to which they are entitled.

Section 5. The membership year shall extend from September 1 to August 31 of the following calendar year. Membership privileges shall terminate for those delinquent in payment of dues for two consecutive months.

State Dues

Section 6. Dues for membership classes shall be as follows:

- a. Active Certified members shall pay dues equal to 1% of the prior fiscal year's Arizona Average Beginning Teachers' Salary from the AEA Salary Manual effective September 1, 2005.

First year teachers who enroll as members of the Association shall receive a one-year \$10.00 credit toward AEA Active dues for each year of Student NEA membership, not to exceed \$50.00. Second year teachers who enroll as first-time members of the Association shall receive a one-year \$5.00 credit toward AEA Active dues for each year of Student NEA membership, not to exceed \$25.00. The first time Active member shall provide proof of membership in Student NEA.

- b. Active Educational Support members shall pay dues equal to 50% of that year's active Certified members dues effective September 1, 2005.
- c. AEA-Retired annual dues shall be the same as NEA-Retired annual dues.
- d. Staff membership shall be twenty-five percent (25%) of the amount established annually for Active membership with the exact dues figure to be rounded to the nearest whole dollar.
- e. Student membership shall be three dollars (\$3.00) per year.
- f. Honorary members shall have no dues for AEA and AEA-Retired.
- g. Reserve membership shall be one-half (1/2) the dues of Active-Certified or Active-Educational Support members as appropriate.
- h. Substitute membership shall be one half (1/2) the dues of Active-Certified or Active-Educational Support members as appropriate.
- i. Associate membership shall be forty-eight dollars (\$48.00) per year.
- j. Provided the local affiliate has in force a continuing membership payroll deduction plan, initial enrollment as a continuing member may be for the remainder of the membership year at the pro-rata amount of the annual dues which is commensurate with the remaining portion of the membership year.
- k. The Delegate Assembly shall establish and hereby does establish a permanent annual assessment, to be known as the Every Member Option, in the amount of \$25.00, directing one dollar to the Rural and Small Committee Fund, effective at the beginning of the next fiscal year. This amount shall be for all active-certified and active-educational support members working one-half time or more. Those active-certified and active-educational support professional members working less than one-half time shall have an Every Member Option rate of \$12.00. All affected members shall have the option to opt out of paying the assessment at the beginning of each membership year..

Monies collected through the Every Member Option assessment shall be divided \$7.00 for the AEA Fund for Public Education, and \$17 for the AEA Education Improvement and Defense Fund.

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Monies collected through the Every Member Option assessment for those members paying the \$12.00 amount shall be divided \$3.50 for the AEA Fund for Public Education, and \$8.50 for the AEA Education Improvement and Defense Fund.

1. The AEA Board of Directors shall have the authority to recommend an assessment to the AEA Delegate Assembly. A recommendation from the AEA Board of Directors for an assessment shall contain the specific amount of the assessment, indicate the length of time the assessment is to remain in effect, and indicate the purpose of the assessment.

An assessment recommended by the AEA Board of Directors shall be referred to the AEA Delegate Assembly. The AEA Delegate Assembly may approve the recommended assessment by a majority vote.

At the expiration date for an assessment approved by the AEA Delegate Assembly, the AEA Board of Directors may recommend the extension of the assessment one time for a period of time no longer than the time set in the original AEA Delegate Assembly action. An extension of an assessment recommended by the AEA Board of Directors will be considered by the AEA Delegate Assembly at its next meeting.

Due Process

Section 7. The Board of Directors may censure, suspend, or terminate the membership of a member from the Association for good and just cause. Prior to the filing of formal charges against a member under this Section, the Board of Directors shall investigate the matter or may delegate such investigation to a duly appointed AEA committee for study and recommendation. If charges are then brought by the Board of Directors, the accused member shall be given written notice of the charges and shall have ten (10) days in which to request an open or closed hearing, whichever they elect. The hearing shall be held within twenty (20) days of their request, and the Board of Directors shall appoint a person, who may or may not be an attorney, to present the case against the accused member. Said member shall have the right to be represented by counsel, may call and cross-examine witnesses, may present evidence in their behalf, and may make an argument.

The accused member may appeal the decision by requesting an appearance before the next annual meeting of the Delegate Assembly. The decision of the Board of Directors shall be presented to the Delegate Assembly, together with the findings upon which it is based, by a representative of the Board of Directors. The accused member may then present, or have a representative state for them, their case and argument upon appeal. A two-thirds (2/3) vote of the delegates shall be necessary to reverse the decision of the Board of Directors and restore the accused member to full membership.

Section 8. In cases of censure for violation of the Code of Ethics of the education profession, and suspension or disaffiliation of a member or local affiliate, a bill of particulars shall be served on the member or local involved, a due process hearing shall be held by a committee appointed by the Board of Directors, and its decision shall be final except that an appeal may be taken to the Board of Directors.

Unification Agreements

Section 9. The Association may enter into agreements with the NEA and any local association in the state requiring unified membership in national, state and local associations if such agreements are duly authorized by the respective associations involved.

ARTICLE II - COMMITTEES

Committees

Section 1. The number and kinds of committees and the functions to be performed by them shall be determined by the Board of Directors.

Special committees may be authorized by the Delegate Assembly and shall perform such duties as may be defined in their creation.

Responsibilities

Section 2. Each committee shall be responsible to the President and shall make such reports as they may direct. Committees shall operate under the rules and procedures which have been approved by the Board of

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Directors. Each committee, except where otherwise specified in the Constitution and the Bylaws, shall have regional representation.

The Finance and Review Committee shall be a standing committee of the board that meets monthly to review AEA finances. No member of the FRC (with the exception of the AEA Treasurer) shall serve on both Audit and FRC during the same year.

Program

Section 3. The programs and activities of committees shall be subject to the policies set forth by the Delegate Assembly and such interpretation of these policies as may be developed by the Board of Directors.

Term of Office

Section 4. The term of office of members of committees shall be one (1) year or until their successors are named.

Ethnic Minority Representation

Section 5. The one person-one vote principle for representation on governing bodies shall be observed in all elections, except that the Association shall guarantee ethnic minority representation at least proportionate to the ethnic minority membership of the Association. Such ethnic minority guarantee shall also apply to the voting members of all appointed committees.

Resolutions Committee

Section 6. The Resolutions, Rules, Constitution & Bylaws Committee shall be a standing committee of the Association.

Compliance Review Committee

Section 7. A Compliance Review Committee, composed of at least five (5) members representing different regions, shall meet annually to review the electoral regions for the election of Regional Directors to the Board of Directors in order to assure compliance with the concept of one person-one vote and to verify AEA compliance with the minimum affiliation standards of the National Education Association. The responsibilities of the Compliance Review Committee shall be:

- a. to divide the total active membership, as of January 15 of each year, into appropriate governance regions for election of Regional Directors to the Board of Directors;
- b. to review annually, prior to February 1, the membership composition of the governance regions for election of Regional Directors to the Board of Directors;
- c. to communicate to the membership in the next regular Association publication the findings and recommendations of the Committee and the announcement of one or more open hearings regarding the findings and recommendations;
- d. to adopt at the final hearing, on or before March 1, a report that will determine the composition of the regions for the next succeeding year; and
- e. to present the adopted report to the Delegate Assembly on the first meeting day for the Assembly to either revise and/or accept in order to meet national compliance requirements.
- f. to review AEA governance documents and practices relating to NEA's minimum affiliation standards.
- g. to make recommendations for bringing AEA's governance documents and practices into compliance with NEA's minimum affiliation standards when they are out of compliance.

ARTICLE III - ALLIED ORGANIZATIONS

Qualifications

Section 1. An organization of an educational nature in Arizona, as defined in the Constitution and the Bylaws, may be considered as an allied organization and may maintain allied status upon approval of the AEA Board of Directors.

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Section 2. Organizations established to carry forward professional programs of general or specific interests in fields of education which are in keeping with the objectives of the AEA may be designated as allied organizations.

Section 3. Each allied organization has the right to fix qualifications for its own members. Organizations requesting allied status must include the requirement of AEA membership in their respective constitutions.

Section 4. Each allied organization shall send a copy of its constitution and bylaws to the Executive Director and shall maintain a current list of officers with the Executive Director.

Services

Section 5. Allied organizations shall receive such publications and services as may be directed by the Board of Directors.

ARTICLE IV - ENDORSING THE CANDIDATES FOR PUBLIC OFFICE

Section 1. In order for any candidate to receive the endorsement of the Arizona Education Association, that candidate must first submit a request for endorsement to the association in the form of an application created by the AEA Fund Council. The Council shall set regular deadlines for submission, and criteria for the application, including but not limited to questions of position on certain educationally relevant issues, listing of applicable experiences, and demonstrating previous support for public education.

Section 2. Upon receivership of any and all applications for endorsement, the Council may then select whether to endorse a particular candidate through a consistent and objective manner that is created in advance by the Council. The Council's decision must be submitted to all candidates who applied and to the general membership by no later than 30 calendar days, or the soonest available AEA publication, whichever comes last.

Section 3. The body of the Delegate Assembly may consider the endorsement of a candidate but only if that candidate has submitted their application at least 30 days prior to the final meeting of the Council before the Delegate Assembly. The Council must make a recommendation, in writing on any such candidates to the delegates before the Delegate Assembly, in order for the delegates to consider an endorsement.

ARTICLE V - REVENUE AND FINANCE

Auditing Procedure

Section 1. The books of account and other financial records of the Association shall be audited at least once a year. The auditing shall be done by an auditing firm of certified public accountants approved by the Board of Directors.

Bonding

Section 2. All officers directly charged with the handling of funds of the Association shall be bonded in such amounts as the Board of Directors shall determine.

Authorized Signatures

Section 3. All expenditures shall be made by check signed by the Executive Director, Manager of Business Operations, or the Treasurer, upon authorization by voucher supported by itemized statement and signed by either the Executive Director or the Manager of Business Operations.

Budget Reports

Section 4. Proposed budgets shall be reported according to strategic objectives from the previous budget. All strategic objectives from the previous budget shall be listed and accounted for. All changes, additions, and deletions shall be noted. Where proposed amounts for the new budget are shown, corresponding amounts from the previous budget, where applicable, will be indicated.

ARTICLE VI – INDEMNIFICATION OF DIRECTORS AND OFFICERS

Indemnification

Section 1. Except as provided in these Constitution and Bylaws, the Association shall hold harmless and

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indemnify each of its directors and officers (“indemnitee”) against any and all liability and expenses incurred by indemnitee in connection with any threatened or actual proceeding or legal action resulting from indemnitee’s service to the Association or to another entity at the Association’s request.

Exclusions

Section 2. Except insofar as permitted by law, the Association shall not indemnify indemnitee for acts listed in A.R.S. Section 10-1005.C.8.

Procedure

Section 3. Indemnitee shall notify the Association promptly of the threat or commencement of any proceeding or legal action with respect to which indemnitee intends to seek indemnification. The Association shall be entitled to assume indemnitee’s defense with counsel reasonably satisfactory to indemnitee, unless indemnitee provided the Association with an opinion of counsel reasonably concluding that there may be a conflict of interest between indemnitee and the Association in the defense of the proceeding or legal action. If the Association assumes the defense, the Association shall not be liable to indemnitee for legal or other expenses subsequently incurred by indemnitee.

Expense Advances

Section 4. The Association shall advance expenses automatically, including attorneys’ fees, incurred or to be incurred by indemnitee in defending a proceeding or legal action upon receipt of notice of the expenses. If required by law, before advancing any expenses the Association may require that an indemnitee or a representative promise to repay the advances if a final judicial decision (after expiration or exhaustion of any appeal rights) determines that indemnitee is not entitled to be indemnified for such expenses.

Settlement of Claims

Section 5. The Association shall not be obligated to indemnify indemnitee for any amounts incurred in settlement if settlement is made without the Association’s prior written consent. The Association shall not enter into any settlement that would impose any penalty or limitation on indemnitee without indemnitee’s prior written consent. Neither the Association nor indemnitee will unreasonably withhold consent to any proposed settlement.

Effect of Repeal

Section 6. In order that indemnitee may rely on the indemnification promised by this Section, no repeal or amendment of this Section shall reduce the right of indemnitee to payment of expenses or indemnification for acts of indemnitee taken before the date of repeal or amendment.

ARTICLE VII - AMENDMENT

Required Vote

Section 1. Any amendment to the Bylaws may be adopted by a simple majority vote of the accredited delegates casting votes on the amendment at any annual meeting of the Delegate Assembly or any meeting of the Assembly called to consider amendments, subject to Article VII, Section 5 of the Constitution.

Deadline

Section 2. All proposed amendments must be presented to the AEA Resolutions Committee in writing at least sixty (60) days before the vote will be taken and presented to the AEA membership in writing at least thirty (30) days before the vote will be taken.

Voting

Section 3. Voting shall be by secret ballot.

Effective Date

Section 4. Unless otherwise provided, all amendments shall take effect at the beginning of the fiscal year following their adoption.

