

TEXAS FACULTY ASSOCIATION MISSION STATEMENT AND BYLAWS

MISSION STATEMENT

The Texas Faculty Association, the statewide affiliate of the Texas State Teachers Association and the National Education Association, will unite, organize, and empower higher education advocates, faculty, and personnel to provide a quality education to every student in higher education in Texas. The Texas Faculty Association operates as a non-profit organization and is certified by the United States Internal Revenue Service as a tax-exempt 501 (c) 5 non-profit organization.

GOALS

#1: Establish an association open to all faculty and higher education personnel in higher education in Texas.

#2: Protect and advance the tenure system as the strongest guarantee of academic freedom.

#3: Protect and advance academic freedom as a collective necessity for faculty, a guarantee for the open and unfettered discovery of knowledge, and a necessity for the maintenance of a democratic society.

#4: Advance the principle of fair and equitable compensation and a fair and equitable teaching and work environment for all higher education professionals.

#5: Advance higher education personnel participation in higher education governance.

#6: Develop and support appropriate legislation and public policy concerning higher education.

#7: Provide opportunities for higher education professionals to exchange ideas, develop professionally, and work for the common good of higher education in Texas.

#8: Protect higher education employees' rights.

#9: Work cooperatively with Texas public education professionals K-12 in a community effort to provide a quality education for every student.

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BYLAWS

Revised September 2022

ARTICLE I

Name

The name of the Association shall be the Texas Faculty Association, hereinafter known as TFA. Headquarters shall be maintained in Austin, Travis County, Texas.

ARTICLE II

Mission

The Texas Faculty Association, the statewide affiliate of the Texas State Teachers Association and the National Education Association, will unite, organize, and empower higher education advocates, faculty, and educational personnel to shape higher education in Texas, thus providing a quality higher education system to every student. The Texas Faculty Association operates as a non-profit organization and is certified by the United States Internal Revenue Service as a tax-exempt 501 (c) 5 non-profit organization.

ARTICLE III

Member

Section 1. Eligibility

- A. Membership shall be open to all higher education faculty or personnel in Texas or persons interested in advancing the cause of higher education in Texas who qualify under conditions of membership in Section 2 below.
- B. Membership shall not be denied on the basis of discipline, age, color, race, religious faith, national origin, sex, sexual identity, marital status, or political activities or belief.
- C. An individual who is eligible for more than one membership category shall join the association in the category that provides the greatest degree of participation in association governance.

Section 2. Qualifications and Conditions of Membership

There shall be six (6) classes of Active Membership: Full-time Faculty and Professional Staff, Full-time Classified Staff, Part-time Faculty and Professional Staff, Part-time Classified Staff, Graduate Student Instructor, and First-time Member.

- A. Full-time Faculty and Professional Staff
 - 1. Qualifications
 - a. Full-Time Faculty and Full-time Professional Staff members shall be employed as a full-time faculty or full-time professional staff at their higher education institution. Professional Staff is defined as requiring a baccalaureate degree or higher.

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- b. Full-time Faculty and Full-time Professional Staff shall maintain membership in the National Education Association, the Texas State Teachers Association, and, where applicable, in the local TFA chapter.
 - c. Full-time Faculty and Full-time Professional Staff shall support the goals and objectives of NEA, TSTA, and TFA and shall abide by the bylaws of TFA.
 2. Dues
Full-time Faculty and Full-time Professional Staff shall pay for this category of membership the required annual dues which shall be set no later than the first day of each fiscal year.
 3. Privileges
Full-time faculty and full-time professional staff shall be:
 - a. Eligible to vote;
 - b. Eligible to hold elective position;
 - c. Eligible to participate as a voting member in the Statewide Membership Meeting and to serve as a delegate to the TSTA House of Delegates;
 - d. Entitled to full rights and privileges of membership.
- B. Full-Time Classified Staff
 1. Qualifications
 - a. Full-Time Classified Staff shall be employed as a full-time classified staff at their higher education institution.
 - b. Full-time Classified Staff shall maintain membership in the National Education Association, the Texas State Teachers Association, and, where applicable, in the local TFA chapter.
 - c. Full-time Classified Staff shall support the goals and objectives of NEA, TSTA, and TFA and shall abide by the bylaws of TFA.
 2. Dues
Full-time Classified Staff shall pay for this category of membership the required annual dues which shall be set no later than the first day of each fiscal year.
 3. Privileges
Full-time Classified Staff shall be:
 - a. Eligible to vote;
 - b. Eligible to hold elective position;
 - c. Eligible to participate as a voting member in the Statewide Membership Meeting and to serve as a delegate to the TSTA House of Delegates;
 - d. Entitled to full rights and privileges of membership.

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C. Part-time Faculty and Part-time Professional Staff

1. Qualifications

- a. Part-time Faculty and Part-time Professional Staff members shall be employed as a part-time faculty or part-time professional staff who is employed less than 40 hours per week or as defined by their higher education institutions.
- b. Part-time Faculty and Part-time Professional Staff shall maintain membership in the National Education Association, the Texas State Teachers Association, and, where applicable, in the local TFA chapter.
- c. Part-time faculty and Part-time Professional Staff shall support the goals and objectives of NEA, TSTA, and TFA and shall abide by the bylaws of TFA.

2. Dues

Part-time Faculty and Part-time Professional Staff shall pay for this category of membership the required annual dues which shall be set no later than the first day of each fiscal year.

3. Privileges

Part-time faculty and part-time professional staff shall be:

- a. Eligible to vote;
- b. Eligible to hold elective position;
- c. Eligible to participate as a voting member in the Statewide Membership Meeting and to serve as a delegate to the TSTA House of Delegates;
- d. Entitled to full rights and privileges of membership.

D. Part-time Classified Staff

1. Qualifications

- a. Part-Time Classified Staff members shall be employed as a part-time classified staff who is employed less than 40 hours per week or as defined by their higher education institutions.
- b. Part-time Classified Staff shall maintain membership in the National Education Association, the Texas State Teachers Association, and, where applicable, in the local chapter.
- c. Part-time Classified Staff shall support the goals and objectives of NEA, TSTA, and TFA and shall abide by the bylaws of TFA.

2. Dues

Part-time Classified Staff shall pay for this category of membership the required annual dues which shall be set no later than the first day of each fiscal year.

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3. Privileges
Part-time Classified Staff shall be:
 - a. Eligible to vote;
 - b. Eligible to hold elective position;
 - c. Eligible to participate as a voting member in the Statewide Membership Meeting and to serve as a delegate to the TSTA House of Delegates;
 - d. Entitled to full rights and privileges of membership.

- F. Graduate Student Instructor
 1. Qualifications
 - a. Graduate Student Instructors shall be attending graduate school and shall have teaching and/or research as part of their responsibilities or as defined by their institution.
 - b. Graduate Student Instructors shall maintain membership in the National Education Association, the Texas State Teachers Association, and, where applicable, in the TFA local chapter.
 - c. Graduate Student Instructors shall support the goals and objectives of NEA, TSTA, and TFA and shall abide by the bylaws of TFA.

 2. Dues
Graduate Student Instructors shall pay for this category of membership the required annual dues which shall be set no later than the first day of each fiscal year.

 3. Privileges
Graduate Student Instructors shall be:
 - a. Eligible to participate as a voting member in the Statewide Membership Meeting and to serve as a delegate to the TSTA House of Delegates;
 - b. Eligible to hold an appointed position;
 - c. Eligible to such services as authorized by the TFA Board of Directors.

- G. First-time Members
 1. Qualifications
 - a. First-time Members shall be full-time faculty or professional staff who are presently employed full-time at their institution and have not previously been a member of TFA.
 - b. First-time Members shall maintain membership in the National Education Association, the Texas State Teachers Association, and, where applicable, in the local TFA chapter.
 - c. First-time Members shall support the goals and objectives of NEA, TSTA, and TFA and shall abide by the bylaws of TFA.

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2. Dues
First-time Members shall pay for this category of membership the required annual dues which shall be set no later than the first day of each fiscal year.
3. Privileges
First time members shall be:
 - a. Eligible to vote;
 - b. Eligible to hold elective position;
 - c. Eligible to participate as a voting member in the Statewide Membership Meeting and to serve as a delegate to the TSTA House of Delegates;
 - d. Entitled to full rights and privileges of membership.

Section 3. Challenges to membership

Any member's or prospective member's eligibility may be challenged by any member with Active Membership in TFA, according to the due process procedures in Article XII.

Section 4. Resignation

A member may resign from membership in TFA at any time by notifying the TFA Secretary-Treasurer or the TFA Executive Director. Annual dues are not refundable and all TFA benefits/services will cease at the time of resignation.

Section 5. Censure. Suspension, Expulsion

A member who fails to adhere to or infringes upon the mission or goals of TFA or who fails to adhere to any qualifications of membership shall be subject to censure, suspension, or disaffiliation, according to the due process procedures established in Article XII.

Section 6. The membership year shall be September 1 through August 31.

ARTICLE IV Officers

Section 1. Officers

The officers of the Association shall be a President, a Vice-President, and a Secretary-Treasurer.

Section 2. Qualifications

All officers shall:

- A. Be actively engaged in the higher education profession within Texas at the time of election;
- B. Have held Active Membership in TFA for three years consecutive immediately preceding election; and
- C. Maintain Active Membership in TFA, TSTA, and NEA.

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Section 3. Term of Office

- A. The term of office for President, Vice President, and Secretary-Treasurer shall be two (2) years or until successors are elected. The President, Vice President, and Secretary-Treasurer shall serve no more than two (2) terms in the office to which he/she is elected.
- B. Officers shall assume office on July 15 following election.

Section 4. Nominations and Elections

- A. Open nominations
 - 1. Any member with Active Membership with the qualifications set forth above in Section 2 and seeking the office of President, Vice President, or Secretary-Treasurer shall file his or her own nomination in writing by letter, email, or TFA nomination forms with TFA Headquarters.
 - 2. Any member with Active Membership may nominate any Active Member with the qualifications set forth above in Section 2, who has consented to the nomination in writing or email, by filing the nomination in writing by letter, email, or TFA nomination forms with TFA Headquarters.
- B. Nominations
 - 1. Notice of the election and the offices up for election shall be forwarded to all members of TFA by mail or email before the end of February in an election year.
- C. Elections
 - 1. The President will appoint an Election Committee of three (3) members. No candidate may serve on the Election Committee.
 - 2. As overseen by the Election Committee, members eligible to vote will receive an electronic ballot, or a paper ballot with a return envelope addressed to TFA Headquarters. The ballot will clearly state the date by which ballots must be received. Late ballots will be void.
 - 3. Ballot Canvassing
 - a. Within seven consecutive days after balloting has ended, the Election Committee will canvass ballots by opening ballot envelopes and counting votes, or reviewing and validating an electronic balloting report. The election results will be reported to the President.
 - b. Winners will be determined by majority vote. The President will announce the results of the election. If no candidate receives a majority vote for a particular office, a run-off between the top two candidates will be ordered by the President.
 - c. Run-off elections will be held within two weeks of the ballot canvassing. Run-off elections will be conducted in the same manner as the general election above.

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4. Secret Ballot
 - a. A secret ballot shall mean a procedure for voting by which the voter shall mark the vote in secrecy.
 - b. In the event that there is only one candidate for a position, secret balloting will be waived and the candidate will be declared elected.
5. In all elections the one-person/one-vote principle will be used.
6. The first election for these officers under these bylaws will be held in 2008.

Section 5. Duties

A. President

The duties of the President shall be to:

1. Serve as the chief executive officer and policy leader of TFA;
2. Represent TFA as the spokesperson on matters of policy or assign the responsibility for such representation;
3. Chair the TFA Statewide Membership Meeting;
4. Prepare the agenda and preside at all meetings of TFA;
5. Serve as ex officio member on all committees;
6. With the approval of the TFA Board of Directors, appoint the Parliamentarian and the chairpersons of committees and taskforces;
7. Appoint a member of the TFA Board of Directors to serve as liaison to each committee;
8. Appoint members of committees; and,
9. Serve as the representative to the TSTA Board of Directors.

B. Vice-President

The duties of the Vice President shall be to:

1. Preside in the absence of the President;
2. Perform other duties as delegated by the President and/or the TFA Board of Directors;
3. Assume the office of President upon the death or resignation of the President and;
4. Serve as a substitute for the President when absent on the TSTA Board of Directors.

C. Secretary-Treasurer

The duties of the Secretary-Treasurer shall be to:

1. Keep accurate records of the proceedings of all meetings of the TFA Statewide Membership Meeting and the Board of Directors;
2. Chair any ad hoc Budget & Finance Committee;
3. Be responsible for the safekeeping and accounting of all funds;
4. Provide financial reports at each TFA Board of Directors and TFA Statewide Membership Meeting; and
5. Receive and deposit all moneys and pay all bills in accordance with procedures determined by the TFA Board of Directors.

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Section 6. Vacancies and Succession

- A. In the event of vacancy in the office of President, the Vice President shall succeed to the office.
- B. In the event of vacancy in the Vice President, the President on advice of the Board of Directors will name a replacement to fill the unexpired term.
- C. In the event of death or resignation of both the President and Vice President, the TFA Board of Directors shall elect a President and Vice President to fill the unexpired terms.
- D. In the event of vacancy in the office of Secretary-Treasurer, the President on advice of the TFA Board of Directors will name a replacement to fill the unexpired term.

Section 7. Removal

State Officers of TFA may be impeached and removed for misfeasance, malfeasance, or nonfeasance in office as described in Article XII.

ARTICLE V Executive Director

Section 1. Qualifications

Qualifications for the Executive Director will be determined by the TFA Board of Directors.

Section 2. Contract

The contract for the Executive Director will be determined by the TFA Board of Directors.

Section 3. Selection

The Executive Director shall be employed by the TFA Board of Directors, in accordance with the TFA/TSTA Agreement.

Section 4. Supervision and Reporting

The Executive Director shall report directly to the TFA Board of Directors.

Section 5. Duties

The duties of the Executive Director shall be to:

- A. Manage TFA operations and state office in Austin;
- B. Organize higher education faculty and personnel staff, increase membership, develop leadership in TFA locals, and improve advocacy and representation of members at all levels within TFA;
- C. Lobby at the Texas Legislature and other higher education state agencies;
- D. Manage the TFA Budget and produce reports when requested by the TFA Board of Directors;
- E. Perform such other reasonable duties as assigned or requested by the TFA Board of Directors or TFA Statewide Membership Meeting;
- F. Abide by TFA/TSTA/NEA Mission and Goals;
- G. Serve as a consultant/grievance representative for members;
- H. Employ, direct, and supervise TFA staff;

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- I. Serve as consultant to the officers, all standing and special committees the TFA Board of Directors, and the TFA Statewide Membership Meeting;
- J. Complete any administrative or management requirements of TSTA/NEA as part of our affiliation with TSTA/NEA.

Article VI Board of Directors

Section 1. Board of Directors

A. Composition

1. The Board of Directors shall be composed of the following voting members: TFA President, Vice President, Secretary-Treasurer, Immediate Past President, and seven (7) elected at-large members.
2. Additional at-large members may be appointed by the Board of Directors to achieve proportionate representation of TFA membership of the ethnic-minority members of TFA, of four-year, two-year, public, and private Texas higher education institutions members of TFA, and those categories of membership which allow eligible members of TFA to vote.

B. Meetings

1. The Board of Directors shall meet at least two times during the fiscal year. Special meetings may be called by the President when necessary or by the written request of at least one-fourth (1/4) of the members of the Board of Directors.
2. Meetings may be conducted in person, or remotely by audio-conference, or by video-conference. Standing rules for remote meetings to ensure equal access and participation by all Board members will be adopted.
3. Board of Directors meetings shall be open meetings except in personnel or legal matters.
4. A quorum shall be a majority of voting members of the Board of Directors.
5. The Board of Directors may cast secret ballots only upon matters of personnel and elections required by the Board of Directors.
6. The Board of Directors may conduct business through the use of mail ballot and/or electronic balloting or other forms of distance balloting as determined by the President between meetings.

C. Functions

1. Policy making
 - a. Act for TFA between meetings of the TFA Statewide Membership Meeting;
 - b. Adopt policies necessary to implement these bylaws, financial standards and best business practices, and mandates of the TFA Statewide Membership Meeting;
 - c. Shall have the authority to set competitive dues structure for organizing purposes.

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2. Governance
 - a. Shall report to the membership all significant actions taken, either at the next Statewide Membership Meeting or through publications of the Association;
 - b. Determine the time and place of the annual Statewide Membership Meeting;
 - c. Receive and consider proposed amendments to these bylaws;
 - d. Shall approve all members of committees and task forces;
 - e. Shall receive all reports submitted by committees and task forces and shall transmit them to the Statewide Membership Meeting;
 - f. Determine dates and rules for elections;
 - g. Elect a Hearing Committee in accordance to Article XII and report the decision of the Hearing Committee;
 - h. Shall make available all official documents for inspection of the Association.
3. Fiscal
 - a. Shall adopt the annual budget;
 - b. Ensure that no more funds are spent than are received in any one year, except that the Board of Directors may approve by 2/3 vote deficit spending not to exceed ten (10%) percent of the annual receipts; a 4/5 vote will be required for deficit spending over ten percent;
 - c. Employ a certified public accountant to audit financial transactions of TFA;
 - d. Review the financial condition of TFA at each meeting and examine and accept the annual audit report.
4. Personnel
 - a. Employ an Executive Director and determine the contract and salary for the Executive Director;
 - b. Approve all staff contracts;
 - c. Have the authority to nominate and elect from the TFA Board of Directors the Interview Committee for reviewing applicants for the Executive Director.

Section 2. Qualifications for Members-at-Large

- A. Be actively engaged in the higher education profession within Texas at the time of election;
- B. Hold an Active Membership in TFA immediately preceding election; and
- C. Maintain membership in TFA, TSTA, and NEA.

Section 3. Nomination and Election of Members-at-Large

- A. Places to be elected will be as follows

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1. Four Members-at-Large shall be elected on leap years, terms to end with the next leap year election. The first election for these four Members-at-Large under these bylaws will be in 2008 as described in the amendments approved in 2006.
 2. Three Members-at-Large shall be elected on even-numbered non-leap years. The first election for these three Members-at-Large under these bylaws will be 2010 as described in the amendments approved in 2006.
- B. Open nominations
1. Any qualified member seeking a Member-at-Large place on the Board of Directors shall file his or her own nomination in writing by letter or email or by TFA nomination forms with TFA Headquarters.
 2. Any qualified member may nominate any qualified member, who has consented to the nomination in writing or email, by filing the nomination in writing by letter, email, or TFA nomination forms with TFA Headquarters.
- C. Nominations
1. Notice of the election and the Member-at-large places up for election shall be forwarded to all members of TFA by mail or email before the end of February in an election year.
- D. Elections
1. The President will appoint an Election Committee of three (3) members. No candidate may serve on the Election Committee.
 2. As overseen by the Election Committee, members eligible to vote will receive an electronic ballot, or a paper ballot with a return envelope addressed to TFA Headquarters. The ballot will clearly state the date by which ballots must be received. Late ballots will be void.
 3. Ballot Canvassing
 - a. Within seven consecutive days after balloting has ended, the Election Committee will canvass ballots by opening ballot envelopes and counting votes, or reviewing and validating an electronic balloting report. The election results will be reported to the President.
 - b. Winners will be determined by majority vote. The President will announce the results of the election. If no candidate receives a majority vote, a run-off between the top four or three (depending on the number to be elected) candidates will be ordered by the President.
 - c. Run-off elections will be held within two weeks of the ballot canvassing. Run-off elections will be conducted in the same manner as the general election above.

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4. Secret Ballot
 - a. A secret ballot shall mean a procedure for voting by which the voter shall mark the vote in secrecy.
 - b. In the event that there is only one candidate for a position, secret balloting will be waived and the candidate will be declared elected.
5. In all elections the one-person/one-vote principle will be used.

Section 4. Terms

The term of office for elected Members-at-Large is four years. The maximum number of terms that a Member-at-Large can serve is two consecutive terms. The Members-at-Large will assume office on July 15 following their election.

Section 5. Vacancies and Removal

- A. Any Member-at-Large with two (2) unexcused absences (as determined by the Board of Directors) from meetings of the Board of Directors shall forfeit his/her office and shall be so notified by the President.
- B. In the event of vacancy in a place held by a Member-at-Large the President on advice of the Board of Directors will name a replacement to fill the unexpired term.
- C. Members of the Board of Directors may be removed for misfeasance, malfeasance, or nonfeasance in office as described in Article XII.

ARTICLE VII TFA Statewide Membership Meeting

Section 1. A statewide meeting of the TFA membership shall be held at least every other year on even calendar years, the date and place to be designated by the Board of Directors. If deemed necessary by the Board, the TFA Statewide Membership Meeting may take place by video-conference provided that the technology used will allow full access and participation by all members in accordance with Standing Rules adopted for the assembly. Special meetings may be called by the President, a majority of the Board of Directors, or upon written request of fifty-one percent of the members attending the meeting.

Section 2. A quorum shall consist of the members present and voting. Notice of meetings shall be given at least one month in advance.

Section 3. The members in attendance at the TFA Statewide Membership Meeting shall be the legislative body of this Association. To carry out this function, the members in attendance shall:

- A. Act as the highest decision-making body of TFA except when these Bylaws give exclusive powers to the Board of Director or officers;
- B. Adopt the rules and agenda for the Statewide Membership Meeting;

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- C. Be directly responsible to the general membership of TFA in all matters concerning the conduct of TFA business;
- D. Establish goals, objectives, and activities consistent with the Bylaws;
- E. Enact such measures as may be necessary to achieve the goals and objectives of the TFA;
- F. Receive and act upon proposals submitted to it by the Board of Directors, committees, and task forces;
- G. Direct the implementation of specific actions items by the Board of Directors and/or committees/task forces of the Association;
- H. Establish policy for this Association; and
- I. Act on all amendments to the Bylaws.

Section 4. Before each TFA Statewide Membership Meeting the President, with the advice and consent of the Board of Directors, shall develop an agenda, order of business, and meeting rules for approval by members at the meeting, and shall appoint a Parliamentarian, Committees on Resolutions and Credentials, and such other committees as may be required.

Section 5. Except as provided in the Bylaws or in any special rules adopted by the TFA, the TFA Statewide Membership Meeting shall be conducted in accord with Robert's Rules of Order.

ARTICLE VIII Local Chapters

Section 1. Establishing a Local Chapter

- A. Seven or more members with Active Membership may form a local TFA chapter at any Texas institution of higher education.
- B. When an institution has more than one campus, each campus may form a separate chapter. In the case of junior and community colleges, "campus" means locations with a President.
- C. When two or more formally distinct institutions or branches of institutions exist in close physical proximity, they may elect to form a single chapter as though they were a part of a single institution.
- D. Only one local chapter for a particular personnel classification can be established on any campus.
- E. TFA accreditation of a chapter requires
 1. A declaration to the TFA Secretary-Treasurer that seven or more Active Members at a campus have agreed to establish a chapter;
 2. An election of a President and a Secretary-Treasurer;
 3. Submission of a chapter constitution and bylaws in accordance with the principles and procedures of the state association and approved by the TFA Board of Directors.

Section 2. A local chapter may be suspended by TFA or lose TFA approval for acts of financial malfeasance, failure to follow TFA/TSTA/NEA policies and regulations, failure to report election results, and nonfeasance. The TFA Board of Directors will establish policies

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for local chapters to achieve and maintain "active" status, and these policies will be published to the TFA website. By August 1 of each year, TFA local chapters will use online form links posted to the TFA website to:

- A. Provide TFA Headquarters with a list of chapter officers with terms of office, email addresses, number of consecutive terms served, and date office was assumed;
- B. Provide TFA Headquarters with current chapter dues information for the upcoming year in all membership categories, and, where the chapter is receiving dues payments directly from members, meet the requirements for fiscal accountability specified in the Board policies for local chapters;
- C. Certify that the requirements for all chapter elections to include an open nomination process, all-member election notification, secret balloting, and one-person/one-vote participation were met;
- D. If the chapter was eligible, certify that elections were conducted for delegates to the TFA Statewide Membership Meeting, and that results, including a listing of all candidates and votes received and including the President if s/he is an automatic delegate, were promptly reported to TSTA or TFA Headquarters using the appropriate form or method;
- E. Provide current copies of chapter bylaws and chapter financial policies.

Section 3. All Active Membership members will be members of the local TFA chapter on campus and pay local dues in addition to TFA/TSTA/NEA dues. Local chapters setting dues at an amount other than \$30 for all membership categories must collect dues directly from their members in accordance with procedures required by the local chapter. Local chapters setting dues at \$30 for all membership categories will have chapter dues collected by TSTA in combination with TFA/TSTA/NEA dues and in accordance with TSTA dues processing procedures.

Section 4. A local chapter may meet jointly with other local chapters and other associations as long as any decisions or actions taken as a TFA local chapter do not violate the bylaws, rules, policies, and procedures of TFA, TSTA, and NEA.

Section 5. A local chapter may adopt a name or title but the name or title must acknowledge its TFA/TSTA/NEA affiliation.

ARTICLE IX Affiliation

Section 1. The Texas Faculty Association is affiliated with the Texas State Teachers Association and the National Education Association.

Section 2. The Texas Faculty Association will have a written affiliation agreement with TSTA that rules the financial, administrative, and legal conditions of that affiliation. The written affiliation agreement will be negotiated annually or for other periods of time as mutually agreed upon by TFA and TSTA.

Section 3. TFA shall not affiliate with any local, state, or national group, union, or association that competes for membership with TSTA or NEA unless that affiliation is agreed to by TSTA and NEA.

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ARTICLE X

Election of delegates to the TSTA House of Delegates and the NEA Representative Assembly

Section 1. TFA and TFA chapter delegates and alternate delegates to the TSTA House of Delegates shall be elected in accordance with TSTA election requirements and eligibility, and TFA active chapter requirements.

Section 2. TFA delegates and alternate delegates to the NEA Representative Assembly shall be elected in accordance with NEA requirements and eligibility.

Section 3. By virtue of election to the office, the TFA President shall automatically serve as a TFA delegate to the NEA Representative Assembly.

Section 4. The procedures established in these Bylaws for nomination and election of Officers and Members-At-Large shall be followed, except that delegates shall be elected by plurality and therefore no run-off elections will be required.

Section 5. In the event more than one candidate receives the same number of votes, a drawing will be held to determine the order of elected delegates and alternates.

ARTICLE XI

Termination of the Association

Section 1. In the event of termination and dissolution of the Texas Faculty Association, the net assets of the Association shall first be used to pay debts and any financial obligations to staff, vendors, and TSTA and NEA. Any other assets will be distributed as determined by the Association.

Section 2. No member or officer shall be legally liable for the indebtedness of the Association.

ARTICLE XII

Due Process

Section 1. The Association shall guarantee that no members will be censured, suspended, or expelled without a due process procedure which shall include an appellate procedure.

Section 2. The Association shall guarantee that no member of the Board of Directors shall be impeached and removed from office without a due process procedure which shall include an appellate procedure.

Section 3. Hearing Committee

A. Composition

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1. The Hearing Committee shall be composed of five (5) members elected annually by the Board of Directors.
 2. Should charges be brought against a member of the Hearing Committee, said member shall be suspended from serving on the Hearing Committee until the charges have been resolved.
- B. Purpose
- The Hearing Committee shall hear charges against local chapters, officers, Board of Directors, or individual members of TFA related to:
1. An affiliate, which fails to comply with minimum standards set forth in these Bylaws, shall be subject to censure, suspension, or disaffiliation;
 2. An officer or Board of Director member of TFA may be impeached and removed for misfeasance, malfeasance, or nonfeasance in office;
 3. A member, who fails to adhere to any of the conditions of membership, shall be subject to censure, suspension, or expulsion.

Section 4. Initiation of Charges

- A. Charges against a local chapter may be filed with the Executive Director by a member.
- B. Charges against a member may be filed with the Executive Director by a member.
- C. Impeachment charges against an officer or a Board of Directors member may be filed as follows:
 1. Officers
 - a. By petition of at least twenty percent (20%) of the Active membership, or
 - b. By petition of at least twenty percent (20%) of the members participating in the last TFA Statewide Membership Meeting.
 2. Board of Directors
 - a. By petition of at least twenty percent (20%) of the Active membership, or
 - b. By petition of at least twenty percent (20%) of the Board of Directors.
 3. Such written petitions specifying charges shall be submitted to the Executive Director.
 4. The Executive Director shall submit the petitions to the Hearing Committee for disposition.

Section 5. Consideration and Disposition of Charges

- A. Within in ten (10) days of having received the charges, the Executive Director shall notify by appropriate means and with proof of delivery the local chapter or person of these charges.

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- B. The local chapter or person charged shall have the right to be heard by the Hearing Committee and/or be represented by counsel before the Hearing Committee.
- C. The local chapter or person shall have ten (10) days from the receipt of the notification of charges to request a hearing before the Hearing Committee. If such a hearing is requested, it shall be scheduled no sooner than fourteen (14) days nor more than twenty-eight (28) days after receiving said request. The person(s) who brought the charges shall be notified of the time and place of the hearing and shall have the right to present to the Hearing Committee. The Hearing Committee shall have the right to request the presence of any TFA member that the Committee believes could provide information relevant to the charges.
- D. If no hearing is requested within the permitted time frame, then the Hearing Committee shall schedule a meeting in conjunction with the next scheduled meeting of the TFA Board of Directors. At that meeting, the Hearing Committee shall review all information regarding the charges and any response to the charges. In anticipation of the meeting, the Hearing Committee may request the Executive Director to gather any additional information that the Committee believes would be relevant to the charges.
- E. Procedures for conducting hearings shall be established by the Hearing Committee.
- F. At the completion of the hearing, if requested, the Hearing Committee may immediately meet in Executive Session and render a decision, or may adjourn and reconvene at an appropriate time in the future to meet in Executive Session and render a decision. If no hearing is requested, then the Hearing Committee shall render a decision after the review called for in paragraph D of this section. The Committee may impose any of the remedies outlined in Section 1 or such other penalty as the Committee may deem appropriate.
- G. Within five (5) days of the decision of the Hearing Committee, the Executive Director shall notify in writing, by appropriate means and with proof of delivery, the charged local chapter or person and those bringing the charges of the decision of the Hearing Committee.

Section 6. Appeals

Only the local chapter, officer, member-at-large, or members who have made the complaint or who were charged with a complaint may appeal the decision of the Hearing Committee to the Board of Directors on procedural grounds.

ARTICLE XIII

Adoption and Amendment of the Bylaws

Section 1. Adoption of these Bylaws shall require a two-thirds vote of the members at a Statewide Membership Meeting of TFA provided that notification of said meeting is given members at least one month in advance by posting on the TFA website and by email notification to all members.

Section 2. Amendments of the Bylaws shall require a majority vote of the members at a TFA Statewide Membership Meeting provided that notification of the proposed amendments is given members least one month in advance by posting on the TFA website and by email notification to all members.

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Section 3. Amendments to the Bylaws may be considered at the TFA Statewide Membership Meeting if two-thirds of the registered members vote to suspend the requirement that a one month notice must be given prior to the Statewide Membership Meeting.

HISTORY OF AMENDMENTS:

Amended September 17, 2022

Amended May 22, 2021

Amended May 9, 2020

Amended February 27, 2016

Amended February 23, 2013

Amended March 1, 2008

Amended February 26, 1994