

Edmonds Education Association

CONSTITUTION AND BYLAWS

ARTICLE I - NAME, PURPOSE, INCORPORATION AND AFFILIATION

- Section 1 The name of the organization shall be the Edmonds Education Association, hereafter referred to as the Association.
- Section 2 The purpose of the Association shall be to represent all members in bargaining, grievances and in all matters relating to the terms and conditions of employment.
- Section 3 The Association shall be incorporated as a nonprofit corporation under the laws of the State of Washington.
- Section 4 The Association shall affiliate with the WEA-Cascade UniServ Council, the Washington Education Association (WEA) and the National Education Association (NEA).

ARTICLE II - MEMBERSHIP

- Section 1 All employees of the recognized bargaining unit are eligible for membership in the Association.
- Section 2 Employees of the recognized bargaining unit who meet the active membership requirements of the Washington Education Association and National Education Association and upon payment of Association dues, as herein provided, shall become members of the Association, hereafter referred to as members.
- Section 3 Association members shall also be members of the Washington Education Association and the National Education Association.
- Section 4 Except for nonpayment of dues and assessments, no member shall be fined, censured, suspended, expelled, or otherwise disciplined, except as provided in the Association's, WEA's or NEA's Constitution and Bylaws.
- Section 5 All members shall have equal rights and privileges within the Association which shall include the right:
- a. to nominate candidates,
 - b. to vote in elections,
 - c. to vote on referenda of the Association,
 - d. to run for office, delegate or other representative position,
 - e. to participate in the deliberations of the organization, and
 - f. to attend Association meetings.
- Section 6 Unless otherwise expressly provided by law, non-members who tender agency shop fees shall have no rights or privileges within the Association.

Section 7 The Association shall not deny membership to individuals on the basis of race, color, national origin, creed, gender, sexual orientation, age, handicap, marital status or economic status.

Section 8 The membership year shall be September 1 through August 31.

ARTICLE III - DUES, FEES and ASSESSMENTS

Section 1 Members shall pay annual dues in an amount no greater than eight-tenths of one percent (0.8%) of the negotiated certificated base salary for Association dues.

Section 2 Employees of the recognized bargaining unit(s) that are not members of the Association shall pay an annual agency shop fee no greater than eight-tenths of one percent (0.8%) of the negotiated certificated base salary.

Section 3 The amount for local dues and agency shop fees shall be approved by the Representative Council no later than the June Representative Council meeting of the preceding membership year.

Section 4 The dues and/or fees shall be payable within sixty (60) days of September 1 or date of employment, whichever is later, or through monthly payroll deductions.

Section 5 Part time employees or members transferring into the Association during the year may pay prorated Association dues as determined by the Representative Council.

Section 6 Special assessments may be levied by a two-thirds (2/3) vote of the Representative Council, provided the assessment includes a termination of the special assessment in either dollar amounts or a specific date.

ARTICLE IV - REPRESENTATIVE COUNCIL and DUTIES

Section 1 The Representative Council shall be the legislative and policy making body of the Association unless specifically stated in the Constitution and Bylaws.

Section 2 The Representative Council shall consist of the Executive Board and one or more members from each work site faculty and specialist group, hereafter referred to as Building Reps. Specialist group designations shall be determined by the Representative Council.

Section 3 Prior to the June Representative Council meeting, members at each work site and specialist group(s) shall elect a maximum of one Building Rep for each 15 members, or major fraction thereof, for representation the following year. There shall be at least one Building Rep per work site and at least one Building Rep per specialist group. The election procedure shall be determined at each site.

- Section 4 The term for Building Reps shall be one year, commencing at the conclusion of the June Representative Council meeting. There is no limitation of successive terms.
- Section 5 The composition of the Representative Council must reflect ethnic-minority representation at least proportionate to the total ethnic-minority membership. The Representative Council may approve additional at-large representatives to meet this requirement.
- Section 6 In the event a vacancy of a Building Rep occurs, the work site or specialist group may hold a special election to fill the vacancy.
- Section 7 The duties of the Representative Council shall consist of the following:
- a. establish and/or approve Association policies and objectives;
 - b. establish guidelines and hear continuing reports on bargaining,
 - c. adopt the annual budget,
 - d. approve or ratify the establishment of paid positions of the Association,
 - e. adopt rules and agenda for its meetings, and
 - f. enact such other measures as may be necessary to achieve the goals and objectives of the Association, which are not in conflict with this Constitution and Bylaws.
- Section 8 The duties of the Building Reps shall consist of the following:
- a. disseminate written information in a timely manner;
 - b. call meetings of the members to discuss Association business,
 - c. oversee the disbursement and collection of Association surveys,
 - d. oversee the voting of Association offices and delegates,
 - e. organize and oversee the subsequent elections of Representative Council members and the enrollment of new members,
 - f. maintain two-way Association communication within the building (or with their special constituencies), and
 - g. regularly attend Representative Council meetings
- Section 9 A Building Rep may be removed from the Representative Council by a recall vote of the Building Rep's constituency. The recall shall be initiated by petition of at least one-third (1/3) of the constituency. The recall vote shall be held within thirty (30) days of the receipt of the petition. A recall shall require a three-fourths (3/4) majority of those members voting.

ARTICLE V - ASSOCIATION OFFICERS and DUTIES

- Section 1 The officers of the Association shall consist of a President, Vice-President, Treasurer and Secretary.

- Section 2 The term of office for officers shall be two (2) years, commencing with the adjournment of the annual National Education Association Representative Assembly.
- Section 3 Elections of officers shall be held prior to the June Representative Council meeting in event numbered years.
- Section 4 There is no limitation of successive terms.
- Section 5 In the vent of a vacancy in the office of President, the Vice-President shall become President for the balance of the term.
- Section 6 Except for the office of President, vacancies shall be filled as follows:
- a. if twelve (12) or more months remain in the term, then by special election of the membership, and
 - b. if less than twelve (12) months remain in the term, then by election of the Representative Council.
- Section 7 The President shall:
- a. preside at all official meetings and shall perform such duties as are customarily associated with the office,
 - b. appoint and/or discharge all committee members and chairs,
 - c. charge committees with their duties and
 - d. represent the Association at local, state and national meetings.
- Section 8 The Vice-President shall:
- a. assist the President and shall act in the absence of the President, and
 - b. chair the Bargaining Committee
- Section 9 The Secretary shall:
- a. keep accurate minutes of all Executive Board, Representative Council and general membership meetings, and
 - b. assist with correspondence and communication for the Association.
- Section 10 The Treasurer shall:
- a. oversee the collection of dues and other income,
 - b. oversee expenditures,
 - c. prepare a financial report which shall be distributed annually to the Representative Council, and
 - d. chair the Budget and Finance Committee.
- Section 11 An Association officer may be removed from office by a recall election. The recall shall be initiated by petition of at least one-third (1/3) of the membership. The Elections Committee shall oversee the recall election. A general membership meeting shall be held within thirty (30) days of the receipt of the recall petition and prior to the election. The recall vote shall take place within ten (10) days of

the general membership meeting and shall be by secret ballot of all members. The recall shall require a three-fourths (3/4) majority of those voting. Within two (2) days of the recall vote, the Executive Council shall notify the officer of the results.

ARTICLE VI - EXECUTIVE BOARD and DUTIES

- Section 1 The Executive Board shall be the body through which the general administrative and executive functions and decisions of the Association shall be carried out between Representative Council meetings as well as providing interpretations of the Association's Constitution and Bylaws.
- Section 2 The Executive Board shall be comprised of the officers of the Association, President of the Substitute Teachers, or designee, the Political Action Committee Chair and one elected representative for each of the following constituent groups: primary grades, intermediate grades, middle school, high school, minorities and specialists.
- Section 3 Nominations for the elected representatives shall come from the Representative Council and be open for twenty (20) days, commencing with the September Representative Council meeting. Nominees must be current Representative Council members in good standing, be currently employed in the constituent category and consent to their nomination.
- Section 4 In the event a representative from one of the constituent groups is not nominated, the position shall become an at-large position for the duration of that term. Nominations for at-large positions shall be taken at the October Representative Council meeting and included in the election.
- Section 5 Executive Board elections shall be by secret ballot of the Representative Council, observing the one (1) person, one (1) vote principle. However, in the event of an uncontested election, the Representative Council may suspend the election and confirm each candidate as elected.
- Section 6 Elections of the primary, middle school and specialist representatives shall be held during the October Representative Council meeting in even numbered years and elections of intermediate, high school and minority representatives shall be held during the October Representative Council meeting in odd numbered years.
- Section 7 The term for elected Executive Board members shall be two years, commencing with the conclusion of the October Representative Council meeting in the year elected.
- Section 8 In the event of a vacancy of an elected position to the Executive Board, the vacancy shall be filled as follows:
- a. if six (6) months remain in the term, then by special election of

- the Representative Council,
- b. if less than six (6) months remain in the term, then by appointment of the President,
- c. if possible, vacancies shall be filled by a member of the same constituency in which the vacancy occurred, otherwise filled as an at-large position for the remainder of the term.

Section 9 Each member of the Executive Board shall serve on at least one Association committee and shall report to the appropriate body as directed by the President.

Section 10 The UniServ representative shall serve as a non-voting member of the Executive Board. Additional non-voting members are allowed by a majority vote of the Representative Council.

Section 11 An elected member to the Executive Board may be removed from the Board by a recall vote of the Representative Council. The recall shall be initiated by petition of at least one-third (1/3) of the Representative Council. The recall election shall be held within thirty (30) days of the receipt of the petition. A recall shall require a three-fourths (3/4) majority of those members voting.

ARTICLE VII - COMMITTEES

Section 1 Standing committees of the Association shall include:

- a. Bargaining Committee,
- b. Elections Committee,
- c. Budget and Finance Committee,
- d. Membership Committee, and
- e. Political Action Committee.

Section 2 Additional committees shall be formed, with the approval of the Representative Council, to carry out necessary functions of the Association.

Section 3 Members of all committees representing the Association must be members in good standing.

Section 4 The President shall appoint and discharge all committee members and committee chairs, not prescribed by the Constitution and Bylaws.

Section 5 Committee chairs, or designees, shall maintain minutes of the proceedings of each committee to be filed with the Secretary. Committee chairs, or designees, shall report to the appropriate body as directed by the President.

ARTICLE VIII - MEETINGS

Section 1 The President shall schedule at least one meeting of the Representative Council each calendar month, with the exception of July and August.

- Section 2 The Executive Board shall meet prior to each regular scheduled Representative Council meeting.
- Section 3 All Representative Council and Executive Board meetings, except emergency meetings, shall be called with at least three (3) days written or electronic notice to the respective members.
- Section 4 General membership meetings, except emergency meetings or during a work stoppage, shall be called with at least five (5) days written or electronic notice to each member.
- Section 5 The Executive Board or Representative Council, by a majority vote, may call an emergency meeting of any governance body at any time.
- Section 6 An emergency general membership meeting shall be called by the President within ten (10) days of a majority vote of the Executive Board or Representative Council or upon receipt of a petition signed by at least ten percent (10%) of the membership.
- Section 7 Any member of the Association who is not a member of the Representative Council or Executive Board may attend its meetings, may receive permission to speak, but will not have voting privileges.

ARTICLE IX - ELECTIONS

- Section 1 The President shall appoint an Elections Committee consisting of a minimum of three members who shall oversee the nominations, campaigning and vote tabulation of Association officers, delegates and other elected representatives not covered in the Constitution and Bylaws. Members of the committee are not allowed to be candidates in such elections.
- Section 2 Officer election procedures shall include, but not limited to:
- a. specific dates, timelines and guidelines of the election shall be published in the Association newsletter no later than thirty (30) days prior to the election,
 - b. nominations shall be open for a minimum of fourteen (14) days, and
 - c. candidates must be active members in good standing and give consent for their name to appear on the ballot.
- Section 3 Officer elections shall be by secret ballot of all members, observing the one (1) person, one (1) vote principle. However, in the event of an uncontested election, the Representative Council may suspend the election and confirm each candidate as elected.

Section 4 To win, a candidate must receive a majority of the votes cast. In the event of a plurality or tie, the Elections Committee shall hold a run-off election within fifteen (15) days between the two (2) candidates receiving the most votes.

Section 5 After receiving a majority of votes, the President shall serve as a delegate to the state representative assembly and shall count as one of the allotted delegates. Elections for the remaining WEA delegates shall follow the guidelines set forth by the WEA. Elections for the NEA Representative Assembly delegates shall follow the election procedures outlined by the NEA.

ARTICLE X - BUDGET and FINANCE

Section 1 The fiscal year shall be September 1 to August 31

Section 2 The President shall appoint a Budget and Finance Committee consisting of a minimum of four members who shall oversee the finances of the Association, including: development of an annual budget, regular review of the revenue and expenditures and reporting to the appropriate body as directed by the President.

Section 3 A balanced annual budget and financial report shall be presented to the Representative Council no later than the October Representative Council meeting. The annual budget shall be approved by the Representative Council at a subsequent meeting.

Section 4 The President, by a simple majority vote of the Representative Council, shall be granted authority to sign for Association loans and investments.

Section 5 All federal, state and local laws as well as generally accepted accounting practices shall be followed in handling of Association funds.

ARTICLE XI - RATIFICATION and AMENDMENTS to the NEGOTIATED AGREEMENT

Section 1 The President, or designee, shall be authorized to sign a legal, binding, yearly or multi-year agreement with the school district only after completion of the following procedure at a general membership meeting:

- a. a report and recommendation given by the bargaining team,
- b. a recommendation by the Executive Board and/or Representative Council
- c. a written digest of the proposed agreement or changes is provided to all members in attendance at the ratification meeting
- d. discussion by the membership, and
- e. a simple majority affirmative vote of the members present and voting.

Section 2 The ratification vote shall be by secret ballot, observing the one (1) person, one (1) vote principle. However, by a two-thirds (2/3) vote of those members present,

this requirement may be suspended and a voice or show of hands vote may be taken.

Section 3 During the duration of the negotiated agreement, amendments, waivers, additions and deletions to the negotiated agreement shall be voted on by the Representative Council.

ARTICLE XII - WORK STOPPAGE

Section 1 The President shall call for a work stoppage only after completion of the following procedure at a general membership meeting:

- a. a current status report from the President, or designee,
- b. a recommendation of the Executive Board and/or Representative Council
- c. discussion by the membership, and
- d. a simple majority affirmative vote of the members present and voting.

Section 2 The ratification vote shall be by secret ballot, observing the one (1) person, one (1) vote principle. However, by a two-thirds (2/3) vote of those members present, this requirement may be suspended and a voice or show of hands vote may be taken.

ARTICLE XIII - POLICY AUTHORITY

Section 1 A simple majority of the members present and voting at any duly authorized meeting shall determine the policies and actions of the Association unless specifically provided in the Constitution and Bylaws.

Section 2 A quorum shall be present prior to any vote taken at a duly authorized meeting of the Association.

Section 3 A quorum at any meeting of the Executive Board, Representative Council or any Association committee shall be a majority of its members.

Section 4 A quorum at any general membership meeting shall be ten percent (10%) of the members.

ARTICLE XIV - PARLIAMENTARY AUTHORITY

Section 1 The current edition of Sturgis Standard Code of Parliamentary Procedure governs the Association in all parliamentary situations that are not provided for in the law, the Constitution and Bylaws or adopted rules.

ARTICLE XV - AMENDMENTS

- Section 1 Proposals to amend the Constitution and Bylaws may be made by the Executive Board, Representative Council or by petition of at least ten percent (10%) of the members.
- Section 2 Copies of the proposed amendment(s) shall be delivered to each work site a minimum of fifteen (15) days in advance of the vote.
- Section 3 Voting shall be by secret ballot of all members, observing the one (1) person, one (1) vote principle. At the discretion of the Executive Board, the vote may be held at work sites, part of a general membership meeting or through other established procedures. The procedure shall be shared with members at the same time the amendments are delivered to the worksites.
- Section 4 Amendments to the Constitution and Bylaws shall require a two-thirds (2/3) majority of those members voting.
- Section 5 Amendments shall become effective immediately unless otherwise provided.

Between February 25 - 29/08 a vote of the membership was held to determine ratification of the change in wording to Article IX, Section 5 of this Constitution and Bylaws. The votes were counted by two independent persons (Election Committee) in which it was confirmed a majority of those who voted (99%) approved the proposed amendment.

The above statement is acknowledged and confirmed to be true by the following Executive Board Members:

President, Dan Wilson

Vice-President, Andi Nofziger-Meadows

Secretary/Amy Frost

Treasurer/Lisa Markussen