

Governing Documents of the
Wenatchee Education Association

Constitution and Bylaws

Revised May 13, 2019



WENATCHEE EDUCATION ASSOCIATION CONSTITUTION

Article I—Name and Incorporation

- Section 1. The name of this organization shall be the Wenatchee Education Association hereafter referred to as the Association.
- Section 2. The Association shall be incorporated as a nonprofit corporation under the laws of the State of Washington.

Article II—Purpose

The purpose of the Association shall be to represent all members in bargaining, grievances, and in all matters relating to terms and conditions of employment with the Wenatchee School District.

Article III—Affiliation

The Association shall affiliate with the Washington Education Association and the National Education Association.

Article IV—Membership

- Section 1. All certificated employees who meet the membership requirements of the Washington Education Association and National Education Association may, upon payment of dues as herein provided, become members of this Association with full rights and privileges of membership.
- Section 2. Active members of this Association shall also be members of the Washington Education Association and the National Education Association.
- Section 3. Except for nonpayment of dues and assessments, no member shall be fined, censured, suspended, expelled, or otherwise disciplined, except as provided in the WEA Constitution and Bylaws.
- Section 4. All members of the Association shall have equal rights and privileges within the Association which include:
- a. to nominate candidates,
 - b. to vote in elections or on referenda of this Association,
 - c. to hold office,
 - d. to participate in the deliberations of the organization and to vote on contract ratification, and
 - e. to attend Representative Council meetings.
- Section 5. Unless otherwise expressly provided by law, only dues paying members shall have rights and privileges within this Association.

Article V—Dues, Fees, and Assessments

- Section 1. Association members shall pay dues/fees as established in the Bylaws. The dues shall be payable through monthly payroll deductions.

Section 2. The Association may levy special assessments on its membership as provided in the Bylaws.

Article VI—Officers

Section 1. The officers of the Association shall consist of a president, vice president, secretary, and treasurer.

Section 2. The immediate past president shall make him/herself available as a resource for the incoming president and executive board in order to assure continuity of services and activities.

Section 3. To qualify for the office of president, a member must meet the following criteria: five (5) years of both employment by the Wenatchee School District and Association membership; and three (3) years of active participation in the Association, two (2) of which must be as a negotiator, a grievance chair or Executive Board member.

Article VII—Representative Council

Section 1. The Representative Council shall be the legislative and policy making body of the Association.

Section 2. Members at each school or work location or group shall elect for a term of two (2) years (July 1 – June 30th) one representative per ten (10) members, or major fraction thereof.

Section 3. Members of the Representative Council shall be elected as set forth in the Bylaws.

Section 4. The specific duties of the Representative Council shall be provided in the Bylaws.

Section 5. Any member of the Association who is not a member of the Representative Council may attend its meetings, may receive permission to speak, but will not have voting privileges.

Article VIII—Executive Board

Section 1. The Executive Board shall be comprised of the officers and four (4) grade level representatives: two (2) persons elected by the active membership of the elementary staff, one (1) person elected by the active membership of the middle school staff, and one (1) person elected by the active membership of the high school staff.

Section 2. The Executive Board shall be the body through which the general administrative and executive functions of the Association shall be carried out.

Section 3. Executive board openings shall be announced at the January Representative Council meeting. Nominations shall be opened at the February Representative Council meeting and closed one week prior to the March Representative Council meeting. The election shall be held within thirty (30) calendar days after nominations have been closed.

Section 4. The term of office for Executive Board members shall be two (2) years or until their successors are elected and qualified. The term of office begins July 1. Terms of members shall be limited to three (3) consecutive terms.

Section 5. An Executive Board member may be removed from office for cause by a recall election which shall be as provided in the Bylaws.

Section 6. The specific duties of the Executive Board members shall be provided in the Bylaws.

Article IX—Vacancies in Elected Offices

- Section 1. When the president is unable to fulfill his/her term of office, the vice president shall assume the balance of the term.
- Section 2. A vacancy in the office of vice president, immediate past president, secretary, treasurer, or grade level representative shall be filled by action of the Executive Board. The Executive Board shall, by appointment, select a replacement who satisfies the requirements of this office for the unexpired term.
- Section 3. Vacancies in Representative Council elected positions shall be filled by elections where the vacancy occurs.

Article X—Policy Authority

A majority vote of the Representative Council shall determine the policies and actions of the Association except as otherwise provided in this Constitution and Bylaws.

Article XI—Parliamentary Authority

The current edition of Roberts Rules of Order governs this organization in all parliamentary situations that are not provided for in the law or in its charter, constitution, bylaws or adopted rules.

Article XII—Amendments

Proposals to amend this Constitution may be made by the Executive Board or by petition of twenty-five percent (25%) of the membership. This Constitution shall be amended by a sixty percent (60%) secret ballot vote of the members voting. Notice of this election and the proposed amendment(s) shall have been delivered to each member at least twenty (20) days in advance. Voting, at the discretion of the Executive Board, may be part of a regular or special meeting or through other established election procedures. Amendments shall become effective immediately unless otherwise provided.

Article XIII—Adoption

This constitution shall be adopted when concurred to by a sixty percent (60%) yes vote of the total ballots returned from the general membership.

Constitution revised and approved as per Article XIII on May 13, 2019.

WENATCHEE EDUCATION ASSOCIATION BYLAWS

Article I—Membership

All members of the recognized bargaining unit are eligible for local association membership.

Article II—Dues, Fees, and Assessments

- Section 1. Association members shall pay dues in the amount of no less than .0085 and no more than .0122 of the total of beginning salary and all additional paid days (per diem/deemed done, etc.) for certificated personnel. Dues paid by religious objectors shall be donated in accordance with WEA guidelines.
- Section 2. Part-time membership dues shall be prorated in the following manner: .76 to 1.0 FTE shall pay full dues; .51 to .75 FTE shall pay three quarters (3/4); .26 to .50 FTE shall pay one half (1/2); .25 or less FTE shall pay one-fourth (1/4).
- Section 3. Special assessments may be levied by a sixty percent (60%) yes vote of the total ballots returned from the general membership, provided they include a termination of the special assessment in either dollar amounts or a specific date.

Article III—Meetings

- Section 1. There shall be a minimum of one Executive Board meeting per month at the call of the president or Executive Board. Two thirds (2/3) of the members shall constitute a quorum at all Executive Board meetings.
- Section 2. There shall be a minimum of one Representative Council meeting per month at the call of the president or Executive Board. Two thirds (2/3) of the members shall constitute a quorum at all Representative Council meetings.
- Section 3. There shall be a minimum of one general membership meeting each year at the call of the president or Executive Board. Twenty percent (20%) of the membership shall constitute a quorum at all general membership meetings.
- Section 4. The Representative Council can be called into emergency session by a majority vote of the Executive Board. Every effort shall be made to notify all members prior to the meeting.
- Section 5. The Executive Board can be called into emergency session by a majority vote of the Executive Board. Every effort shall be made to notify all members prior to the meeting.
- Section 6. The Representative Council or the Executive Board can be called into emergency session upon written request to the president, signed by ten (10) active members. Every effort shall be made to notify all members prior to the meeting.
- Section 7. Delegates to the North Central Washington UniServ Council shall be members of Executive Board and/or Negotiations Team. In the event that one of those delegates is unable to fulfill this duty, an alternate shall be appointed by the president. The number of delegates shall be determined by the Bylaws of the North Central Washington UniServ Council.

Section 8. Opportunities to attend workshops shall be communicated to members and the president and/or Executive Board shall select attendees as the budget allows.

Section 9. Expenses incurred by members in attending authorized meetings, conferences, workshops and assemblies shall be reimbursed as provided by Association regulations.

Article IV—Duties of Executive Board Members

Section 1. The president shall:

- a. preside at all official meetings and shall perform duties as are customarily associated with the office, such as preparing agendas in conjunction with the Executive Board;
- b. appoint and/or discharge all committee members with the approval of the Executive Board;
- c. charge committees and Executive Board members with their duties;
- d. attend and represent the Association at meetings with school district management and those state and national meetings that Executive Board deem necessary;
- e. distribute mailings and communications to members;
- f. handle all correspondence for the Association;
- g. prepare and submit a monthly report of the president's activities to the Executive Board.

Section 2. The vice president shall:

- a. assist the president and shall act in the absence of the president;
- b. act as communication officer for the Association.

Section 3. The secretary shall:

- a. notify the appropriate members as to the time and place of the Representative Council meetings;
- b. keep accurate minutes of all Executive Board and Representative Council meetings, and distribute copies of minutes to the respective groups within ten (10) working days.

Section 4. The treasurer shall:

- a. deposit all monies in a bank in the name of the Association;
- b. maintain all banking records;
- c. hold all funds and disburse them accordingly upon the submission of approved vouchers;
- d. prepare an annual financial report which shall be distributed once each year to Executive Board members and to Representative Council;
- e. report at each Representative Council meeting;
- f. prepare the books for an audit; and

g. file the appropriate federal and state forms.

Section 5. The immediate past president shall:

- a. serve as advisor to the Executive Board, for a minimum of one year;
- b. assume other tasks as requested by the president and/or Executive Board.

Section 6. Grade level representatives shall:

- a. attend all Executive Board and Representative Council meetings;
- b. facilitate grade level discussions at Representative Council meetings;
- c. serve as spokespersons for their respective grade levels;
- d. oversee council representative elections.

Article V—Duties of the Executive Board

Section 1. Between meetings of the Representative Council the Executive Board shall conduct and manage the affairs and business of the Association, including interpretation of this Constitution and Bylaws.

Section 2. The Executive Board shall see that the budget is prepared and submitted for approval prior to the end of the school year.

Section 3. The Executive Board shall implement motions and resolutions approved by the Representative Council and put into operation other measures consistent with the Constitution, Bylaws and policies of the Association. It shall fix the time and place and shall make all necessary arrangements for regular and special meetings.

Section 4. The Executive Board shall approve the appointment and discharge of all standing and special committee members, shall approve the creation of all special committees, and shall review the activities of all committees.

Section 5. In the event the office of president is vacant because of the inability of the vice president to meet the requirements, due to a change of employment or for any other reason, the immediate past president shall call a meeting of the Executive Board and shall serve as chairperson until the position can be filled by action of the Executive Board.

Section 6. Whenever a majority of the Executive Board or a petition of twenty-five percent (25%) of the active membership shall declare that an officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend to the Representative Council that the office be declared vacant. If the Representative Council so votes by sixty percent (60%) majority, it shall immediately elect a replacement to fill the unexpired term following those voting procedures outlined in the Bylaws.

Section 7. The Executive Board shall meet at the call of the president or at the request of three members of the Executive Board. The secretary shall provide notification to the members of the Executive Board of all meetings.

- Section 8. Special meetings shall be called by the president or by the written request of three members of the Executive Board. The purpose of a special meeting shall be stated in the written notice of the meeting.
- Section 9. The Executive Board shall annually review the constitution and bylaws.

Article VI – Duties of Council Representatives

- Section 1. To receive the full authorized stipend, council representatives must:
- a. serve as a member advocate; and
 - b. attend a minimum of eight out of ten Representative Council meetings; and
 - c. conduct, plan, attend, or ensure that a 10-minute meeting is conducted for members at each building each month; and
 - d. conduct personal advocacy conversations with their constituents annually; and
 - e. discuss the business of the Representative Council meetings with his/her constituents and voice the majority opinion of those he/she represents and vote accordingly; and
 - f. know and encourage all members to be active participants in the Association; and
 - g. post all information from the Representative Council meetings; and
 - h. disburse and collect all materials which are important for carrying on association business to the appropriate person, i.e., WEA-PAC, NEACPE, membership forms, and ballots; and
 - i. conduct the nomination and election of their replacements prior to the first Representative Council meeting in June.
 - j. Council representatives must send a substitute in their absence to Representative Council meetings; however, a substitute shall not count toward the minimum attendance requirement for stipend purposes.

Article VII—Duties of the Representative Council

- Section 1. The duties of the Representative Council shall consist of the following:
- a. approve Association policies;
 - b. provide input and hear continuing reports on bargaining;
 - c. adopt the annual budget;
 - d. approve the establishment of temporary paid positions for the Association;
 - e. provide input on members' issues and concerns to the Executive Board;

- 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 the Bylaws.

Article VIII – Duties of Grievance Chair

Section 1. The duties of the grievance chair shall consist of the following:

- a. process grievances of certificated employees and the Association;
- b. report to Executive Board and Representative Council;
- c. recommend to WenEA Executive Board whether or not a grievance should be pursued through arbitration.

Article IX – Negotiations

Section 1. Negotiations Team

- a. The Negotiations Team shall consist of the chairperson and three to four additional persons chosen for their ability to effectively represent the membership and grade levels. The Executive Board shall approve appointments to the team and choose the chairperson.
- b. The term of office of all appointed team members shall be for two years or until their successors are appointed; however, there is no term limit.
- c. It shall be the duty of the negotiators to attend UniServ and District negotiations training workshops and negotiation work sessions, and monthly Representative Council meetings.
- d. The Negotiations Team shall receive directives from the Executive Board. Directives shall be consistent with the policies of the Washington Education Association and National Education Association as well as applicable statutes.
- e. The Negotiations Team shall be directly responsible to the Executive Board for the conduct of negotiations and shall report regularly on the progress of negotiations when so requested.
- f. The Negotiations Team shall have the authority to make preliminary policy agreements and respond to Wenatchee School District proposals in the absence of Association policy when such proposals are consistent with the purposes of the Wenatchee Education Association.

Section 2. Tentative Agreements

- a. Tentative policy agreements reached between the Wenatchee School District and the Wenatchee Education Association shall be final when ratified by the membership. The membership may delegate this authority by ballot.
- b. Tentative agreements which meet the following definitions shall be ratified by the Executive Board:
 - 1. those relating to procedural matters;
 - 2. those which cause individual employees to be brought into conformity with Association policy;
 - 3. those affecting only a particular employee sub-group if such ratification causes no significant impact on members outside of the particular sub-group;

4. those which are not substantive, but only serve to bring previously negotiated language into line with the intent stated during the previous negotiations.

Article X—Nominations and Elections

Section 1. Representative Assembly (RA) Delegates

- a. Nominations for WEA and NEA Representative Assembly delegates shall be opened at the Representative Council meeting that meets the WEA and NEA election guidelines. Nominations shall close one week prior to the following Representative Council meeting.
- b. These delegates shall be elected at-large.

Section 2. Representative Council Representatives

- a. Representative Council positions (council representatives) shall be opened every two years, however there is no term limit.
- b. Nomination and election procedures are determined at the building level.

Section 3. Executive Board Members

- a. Nominations of Association officer candidates may be made by any member.
- b. Nominations for Executive Board members shall be opened at the February Representative Council meeting and close one week prior to the March Representative Council meeting.

Section 4. The Executive Board shall approve the time and place of nominations and elections and ensure that they are convenient for the greatest possible attendance and/or participation by all active members. The election shall be by secret ballot, observing the one (1) person, one (1) vote principle.

Section 5. To win, a candidate must receive a majority of the votes cast. In the event of a plurality or a tie, the Executive Board shall hold a run-off election within fifteen (15) days between the two (2) candidates receiving the most votes.

Section 6. Ballots

- a. Ballots shall include the names of all properly nominated candidates and a space for write-in candidates. Write-in candidates must receive a plurality of ballots cast.
- b. Each candidate may submit in writing a statement of qualifications for inclusion on the ballot.
- c. The distribution of ballots shall be through the Representative Council to the voting members.
- d. Ballots shall be collected by the Council representatives and turned over to the Executive Board on the election deadline.
- e. Executive Board members not on the ballot shall count and tally all ballots. The ballots shall be retained for at least six (6) months.

- f. Ballot items marked in such a manner as to create a doubt as to the intent of the voter shall be voided for tally.
- g. Candidates or their appointed representatives shall be able to observe the counting of all ballots.

Section 7. Election Run-offs

If a majority is not achieved on the first ballot, the candidate receiving the least number of votes will be eliminated on each succeeding ballot.

Section 8. Election Challenges

- a. In case of a challenge, the candidate shall present in writing to the Executive Board any concerns regarding voting procedures, infractions of the rules or the elections.
- b. The Executive Board will review and rule on the challenge.
- c. The candidate shall have the right to appeal the decision of the Executive Board by presenting the concerns to the Representative Council which shall make the final decision.

Section 9. Election Results

Election results will be announced within five (5) days of the final ballot count.

Article XI—Membership and Fiscal Year

The membership and fiscal year shall be September 1 through August 31.

Article XII- General Finance

Section 1. Budget

- a. The treasurer and any others designated by the Executive Board shall prepare the proposed annual budget for presentation to the Executive Board for review.
- b. The Executive Board shall recommend adoption of the proposed annual budget to the Representative Council.
- c. The proposed annual budget shall be presented for review no later than the Representative Council meeting in May.
- d. Once the annual budget has been adopted, no category within the budget may be overspent without provisions being made for additional revenue or a transfer from other budget categories to cover the over expenditure. The Executive Board shall authorize such provisions.
- e. All requests for disbursements of monies in excess of the total pre-approved budget amount shall be put to a vote of the Representative Council. Approval shall be by sixty percent (60%) of those present.

Section 2. Disbursements

- a. The president and/or Executive Board shall approve all non-routine expenditures prior to payment.
- b. The president and treasurer shall be authorized to make all disbursements necessary for the maintenance of the Association that have been approved in the annual budget.
- c. The president shall sign all payments made to the treasurer.
- d. The treasurer shall submit a monthly income and expense report to the Executive Board and Representative Council for review and information.
- e. Dues reimbursements and stipend payments in amounts recommended by Executive Board and approved by a majority vote of the Representative Council shall be made in the following manner:
 1. Dues reimbursements are made annually to Executive Board members and grievance chair in the last month of office, and are based upon meeting attendance.
 2. Stipend payments are made to council representatives at the last Representative Council meeting of the school year and are based upon meeting attendance. When a building is unable to fill its full complement of building representatives, the stipend for the unfilled position(s) shall be shared among the existing building representatives.
 3. Stipends for negotiations team members are paid on a quarterly basis during the fiscal year, and are based upon meeting attendance.
 4. Authorized hourly reimbursements for executive officers are made on a quarterly basis during the fiscal year.
 5. Authorized hourly reimbursements for committee work or similar work are made as agreed by the Executive Board.
 6. Reimbursement to the Wenatchee School District for the Association portion of the president's salary shall be made on a monthly basis.

Article XIII—Ratification of Agreement and Authorization for Strikes and Contract Waivers.

- Section 1. The president and the chairperson of the negotiations team shall be authorized to sign a legal, binding, yearly or multi-year agreement with the employing board only after completion of the following procedure at a general membership meeting:
- a. a report and recommendation by the negotiation team;
 - b. a report and recommendation by the Executive Board;
 - c. a written digest of the proposed agreement or changes provided to all members in attendance at the ratification meeting;
 - d. discussion by the membership; and
 - e. a majority affirmative vote by secret ballot of the total ballots returned from the general membership.

- Section 2. Letters of agreement proposed by the negotiations team shall be approved by the Executive Board.
- Section 3. Strike action must be authorized by a sixty percent (60%) majority vote of those members voting.
- Section 4. Contract waivers must be authorized by a sixty percent (60%) majority vote of those members voting.

Article XIV—Quorum

- Section 1. Quorum at any duly authorized meeting of the Executive Board shall be a majority of its members.
- Section 2. Quorum at any duly authorized meeting of the Representative Council shall be a majority of its members.
- Section 3. Quorum at any duly authorized general membership meeting shall be twenty percent (20%) of the membership.
- Section 4. Quorum at any duly authorized contract waiver election shall be a majority of the members in the affected building or program.

Article XV—Amendments

These Bylaws may be amended by a sixty percent (60%) yes vote of the Representative Council when the amendment proposal has been approved and recommended by the Executive Board, providing that it has been presented in writing at the Representative Council meeting, immediately preceding the meeting in which the vote is called, thus allowing a period of time for membership input.

Article XVI— Adoption

These Bylaws shall be adopted when concurred to by a majority of the total ballots returned from the general membership.

Bylaws revised and approved as per Article XVI by Representative Council on May 13, 2019.