

**LAKE STEVENS EDUCATION ASSOCIATION
A WASHINGTON NON-PROFIT ORGANIZATION**

BY-LAWS

Adopted May 1974

1975, 1979, 1987, 1998, 2002 and 2006, 2008, 2013, 2017

**ARTICLE I
NAME**

The name of this organization shall be the LAKE STEVENS EDUCATION ASSOCIATION.

**ARTICLE II
PURPOSES**

SECTION 1

To work for the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all.

SECTION 2

To develop and promote the adoption of such ethical practices, personnel policies and standards of preparation and participation as marks a profession.

SECTION 3

To develop and promote a continuing program to improve salaries, fringe benefits, working conditions, and instruction through bargaining collectively with the School Board as the exclusive representative of the members of the bargaining unit, in compliance with Washington State Law RCW 41.59.940.

SECTION 4

To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the School Board and other legal authorities.

SECTION 5

To hold property and funds and to employ a staff for the attainment of these purposes.

SECTION 6

To represent all members of the bargaining unit fairly without discrimination on the basis of membership or non-membership in the Association, race, creed, ethnic or national origin, marital status, sex or age.

**ARTICLE III
AFFILIATION WITH THE WASHINGTON EDUCATION ASSOCIATION
AND THE NATIONAL EDUCATION ASSOCIATION**

The LAKE STEVENS EDUCATION ASSOCIATION ratifies the charter and the by-laws of the NEA and WEA, declares its relation to the NEA and WEA as an affiliated local association and pledges its active assistance and support in promoting the programs outlined by the NEA and WEA in the fulfillment of their purposes and objectives.

ARTICLE IV MEMBERSHIP

SECTION 1-ACTIVE MEMBERS

- a. Active membership in the Association shall be open to all certificated staff eligible to be members of the bargaining unit represented by the Association; and who agree to abide by the Code of Ethics of the National Education Association.
- b. Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
- c. Active members of the Association shall also be members of the Washington Education Association and the National Education Association.
- d. Membership shall not be denied to individuals on the basis of race, creed, ethnic or national origin, marital status, sex or age.
- e. The membership year and the fiscal year shall be coincident, September 1st through August 31st inclusive.

SECTION 2-ASSOCIATE MEMBERS

Persons employed in the schools of the Lake Stevens School District Number Four who are not eligible to become active members may upon payment of dues enroll as associate members with all rights and responsibilities of active members except the right to vote, to hold office, or to represent the Association.

SECTION 3-OTHER CATEGORIES

Other membership categories include NEA life members and educational secretaries.

SECTION 4-AUXILIARY PERSONNEL

Persons not otherwise identified in these by-laws who are employed in this school system and who directly or indirectly assist the professional personnel to provide improved educational opportunities may become members. Unified membership shall be required with state and national affiliate organizations of auxiliary personnel. Such members shall receive all rights and privileges of the association, except those of holding office in the Association and representation in the Representative Council. They may hold meetings of their own group at a time of their choice. Annual dues shall be set by the Representative Council.

SECTION 5-EXPULSION FROM AND RESTORATION TO MEMBERSHIP

The Board of Directors of the Washington Education Association shall have the power to censure, suspend, or expel any member for cause, after due process including notice and hearing. The WEA Board shall have power to reinstate members pursuant to the requirements in the WEA By-laws.

ARTICLE V OFFICERS

SECTION 1

The officers of the Association shall consist of a president, a vice president, the immediate past president, a secretary, and a treasurer or designee.

SECTION 2-PRESIDENT

The President shall preside over meetings of the Executive Board, Representative Council and the General Membership, appoint the chairpersons and members of the standing committees, appoint special committees, and appoint chairpersons and members of the negotiation team subject to the advice and consent of the Representative Council. The President shall be responsible for coordination of activities with Pilchuck UniServ Council and shall represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office. The President shall also be responsible for correspondence and for the first draft of the proposed annual budget.

The President shall be elected for a term of two (2) years and be an automatic delegate to WEA Representative Assembly and NEA Representative Assembly, which shall be noted on the ballot at the time of officer elections.

SECTION 3-VICE PRESIDENT

The Vice President shall discharge the duties of the President in the absence or other inability of the President to serve and shall perform all other duties usually attributed to the office of Vice President. In addition, the Vice President shall assist the President by representing the Association on District calendar and insurance committees, and attending school board meetings and apprising the president and members of the board's actions, policies, attitudes, considerations, and pending decisions.

The Vice President shall be elected for a term of two (2) years.

SECTION 4-IMMEDIATE PAST PRESIDENT

The immediate past president shall advise the Executive Board, the Representative Council, the General Membership and assist the President at the latter's request.

The Past President shall serve for a term of one (1) year, and except as these by-laws may otherwise provide, his/her term shall commence after she/he has served the immediately preceding term as president.

SECTION 5-SECRETARY

The secretary shall keep or cause to be kept accurate minutes of all meetings of the Executive Board, of the Representative Council and the General Membership, shall maintain or cause to be maintained official files and shall assist the President with Association correspondence.

The Secretary shall be elected for a term of two (2) years, and the same person may be elected for successive terms.

SECTION 6-TREASURER OR DESIGNEE

The Treasurer or designee (LSEA President/LSEA paid employee) shall:

- a. Hold the funds of the Association and disburse such funds upon authorization by the President or Executive Board;
- b. Maintain permanent financial records as custodian of all funds of LSEA;
- c. Prepare financial and budget reports as required by LSEA;
- d. Prepare and submit financial reports as required by local, state, and federal government agencies;

- e. Transmit amounts due to the national Education Association and the Washington Education Association or coordinate collection and transmittal of dues within the Lake Stevens School District Number Four payroll office;
- f. Maintain a roll of members and agency shop members.

The Treasurer shall be elected for a term of two (2) years, if determined to be necessary by the Executive Board, and the same person may be elected for successive terms.

SECTION 7-VACANCIES IN OFFICE

In the event that the office of the President shall become vacant, the Vice President shall immediately succeed to the office of President and shall serve as President for the remainder of the term.

In the event of the offices of both President and Vice President shall become vacant simultaneously, except as these by-laws may otherwise specially provide, the members of the Representative Council shall choose one of their members to serve as President Pro- Tempore until the General membership can fill the vacancies.

In the event the offices of Vice President, Secretary, and/or Treasurer become vacant a special election shall immediately be held for the purpose of filling the vacancy or vacancies, unless the Executive Board in its discretion determines that the balance of the incumbent's term is so short as to not warrant an election.

**ARTICLE VI
EXECUTIVE BOARD**

SECTION 1-COMPOSITION

The Executive Board shall consist of the following:

- a. the officers of the Association;
- b. Directors to the Executive Board as follows:
 - 1. one (1) High School Director,
 - 2. one (1) Middle School Director,
 - 3. two (2) Elementary School Directors,
 - 4. one (1) Special Education Director to represent Pre-Kindergarten through 12th grade Special Education teachers, SLPs, OT/PTs, psychologists, and instructors working in the transition school-to-work program.

Directors shall attend all Executive Board, Representative Council and General Membership meetings, hold meetings at constituent sites a minimum of three (3) times per academic year, serve as a conduit for concerns and information to and from their constituencies, and assist the officers in all functions and responsibilities of the Executive Board.

In the event that a Director position becomes vacant, a special election shall be held for the purpose of filling the vacancy, unless the Executive Board determines that the balance of term is so short as to not warrant an election.

Additional Board members may be elected at-large by a secret ballot by the membership in order to comply with the requirements of the NEA Constitution and By-laws for ethnic minority representation.

Nominations for at-large Board members for these positions shall be by the ethnic minority members. At-large Board members shall take office upon their election and serve for a one (1) year term. They may be re-elected if the at-large position is still required.

All Executive Board members to be elected by majority vote of the constituency they are to represent by secret ballot after open nominations. Each director shall be elected for a term of two (2) years.

SECTION 2-FUNCTIONS AND POWERS

The Executive Board shall be the executive authority of the Association and shall be responsible for the management of the Association and the approval of all expenditures. It shall recommend policies and programs of the Association for adoption by the Representative Council or the General Membership as the case may be, and shall carry out such programs and policies of the Association as may be adopted by the Representative Council or the General Membership as the case may be.

The Executive Board, in addition, shall discharge such duties and possess such authority as are prescribed elsewhere in these by-laws; and it shall constitute the association's Statutory Board of Directors and shall have such powers as are given to it by law.

SECTION 3-STAFF

The Executive Board, within policies adopted by the Representative Council and within the annual budget, shall have the power to employ, direct and compensate a staff for the efficient management of the Association's business.

SECTION 4-MEETINGS

The Executive Board shall meet at least once each month during the school year and at the call of the President or on the request of three (3) members of the Board.

A majority of the members of the Executive Board shall constitute a quorum.

SECTION 5-DE FACTO RESIGNATION

The business of the Association demands and carries an expectation of officer's and director's participation. Officers and directors are expected to attend regularly scheduled Executive Board, Representative Council, and General Membership meetings, and carry out the duties attributed to their office or position. Non-participation may constitute de facto resignation. Following the third absence or other determination that an officer or director has failed to fulfill the duties of said office or position, the Executive Board may review the individual circumstances and determine a remedy, up to and including declaring the office or position vacant. The officer/director in question shall have an opportunity to address the concerns and present any extenuating circumstances prior to determination of a remedy. A majority vote by two-thirds (2/3) of all Executive Board members shall be required to declare an office or position vacant. Such vacancies shall be filled as prescribed in these by-laws.

SECTION 6-ANNUAL BUDGET

The Executive Board shall develop an annual budget for submission to and adoption by the Representative Council.

SECTION 7-AUDIT/COMPLIATION REPORT

The Executive Board shall cause an audit or compilation report of the Association's books of account to be made at the end of each membership year.

**ARTICLE VII
REPRESENTATIVE COUNCIL**

SECTION 1-COMPOSITION

The Representative Council shall consist of the officers, directors, and two (2) representatives from each building with an additional representative for each ten (10) members or major fraction thereof over the number of twenty (20). Each voting unit may elect up to two (2) alternates for their representatives and one (1) additional alternate if the regular allocated number of representatives for that unit exceeds five (5). Alternates may vote only when serving in the place of an absent representative.

Additional delegates may be elected at-large by a secret ballot by the membership in order to comply with the requirements of the NEA Constitution and By-laws for ethnic-minority representation. Nominations for at-large delegates for these positions shall be by the ethnic-minority members. At-large delegates shall take office upon their election and serve for a one (1) year term; they may be re-elected if the at-large position is still required.

SECTION 2-FUNCTION

The Representative Council shall exercise the legislative function of the Association and shall determine the program and policies of the Association. Powers not reserved to the General Membership, or delegated to the Executive Board, Association officers or otherwise in these by-laws, shall be vested in the Representative Council.

The Representative Council shall assist the President to appoint members of committees to fill all unexpired terms as vacancies occur. It shall require and assist committees to define their immediate and long-range objectives through priorities set by member involvement.

SECTION 3-MEETINGS

The Representative Council shall hold at least one regular meeting each month during the school year and such additional regular meetings as it may determine to schedule. Special Council meetings may be called at the request of the President or three (3) Representative Council members.

A majority of the Representative Council shall constitute a quorum.

Any member of the Association who does not hold a seat on the Representative Council may attend its meetings and shall have the privilege to speak thereto, but shall sit apart from the voting body if provision is made for such seating.

SECTION 4-RESPONSIBILITIES

Building Representative shall serve the membership in the following manner:

- a. Attend all Representative Council meetings or arrange for an alternate when unable to attend,
- b. Attend all General Membership meetings,
- c. Hold Building meetings in a timely manner,
- d. Inform building colleagues of meetings, elections, and information, etc.,

- e. Provide members opportunity to share comments, or concerns,
- f. Report to the President any situations, concerns of members, etc., which may require action by the Executive Board, Representative Council, or General Membership,
- g. Distribute newsletters, reports, bulletins and other Association communications,
- h. Act as a member advocate in appropriate situations,
- i. Assist the President and Executive Board in carrying out the goals and activities of the LSEA, and the State and National affiliates.

SECTION 5-DE FACTO RESIGNATION

The business of the Association demands and carries an expectation of representative's participation. Representatives shall attend regularly scheduled Representative Council, and General Membership meetings, and carry out the duties associated to the position. Non-participation may constitute de facto resignation. Following the third absence of a representative with no designated alternate or when it is determined that a representative has not fulfilled the duties of the position, the Executive Board may review the individual circumstances and determine a remedy, up to and including declaring the position vacant. The representative in question shall have an opportunity to address the concerns and present any extenuating circumstances prior to determination of a remedy. A majority vote by two-thirds (2/3) of a quorum of the Representative Council shall be required to declare a position vacant. The affected voting unit shall be advised of the vacancy and shall have the opportunity to elect a representative to fill said vacancy in accordance with these by-laws.

SECTION 6-ANNUAL BUDGET

The Representative Council shall approve the annual budget.

SECTION 7-REFERRAL TO GENERAL MEMBERSHIP

The Representative Council may at any time refer any matter to the General Membership for a vote of that body.

ARTICLE VIII COMMITTEES

SECTION 1-STRUCTURE

The Executive Board shall present to the Representative Council for approval those committees needed to achieve the Association goals. The committees shall be selected from those listed below, provided that additional committees may be created as the need arises.

Committees shall have a minimum of three (3) members, selected to represent appropriate groups in the Association. Each committee may, with the approval of the Representative Council, organize special sub-committees and task forces for specific activities from the membership of the Association.

SECTION 2-MEETINGS

Each committee shall meet as needed at the call of the chairperson.

At the first committee meeting a calendar of meeting dates shall be presented by the chairperson for approval by the committee members.

SECTION 3-REPORTS

Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report items of action to the Executive Board and/or Representative Council.

SECTION 4-TITLES AND RESPONSIBILITIES

- a. **NEGOTIATION TEAM:** shall negotiate with the School Board on hours, wages and working conditions, including the impact of instructional programs on hours, wages and working conditions for all personnel in the bargaining unit. With the aid of the Executive Board and appropriate committees, it shall prepare negotiation proposals to be approved by the Representative Council prior to being placed before the School Board. Upon reaching tentative agreement with the School Board on all matters in negotiations, the team shall prepare and submit its report and recommendation to the members of the Association in the bargaining unit for ratification. The procedures for ratifying a negotiations agreement shall be developed by the Representative Council prior to negotiation.
- b. **ELECTIONS COMMITTEE:** shall be appointed as needed and will carry out duties in accordance with Article IX these by-laws.

SECTION 5-RELATION TO STATE AND NATIONAL ASSOCIATIONS

The Standing Committees shall seek to understand and relate to the objectives and programs of the corresponding units of the state and national associations and shall counsel with them.

ARTICLE IX ELECTIONS

SECTION 1-ELECTIONS COMMITTEE

The Elections Committee may delegate to the LSEA paid employee clerical functions such as verifying acceptance of nominations, preparing voting packets, etc., provided there is no conflict with other provisions of these by-laws. The President, subject to the approval of the Executive Board, shall appoint an Elections Committee. The Elections Committee shall conduct and supervise all Association elections except those internal to individual voting units; shall assure proper distribution of ballots; shall collect all ballots directly from Faculty Representative; shall personally oversee the counting of ballots and shall certify the results of each election.

No officer candidate for said positions shall serve on the Elections Committee.

SECTION 2-ELIGIBILITY

All active members of the Association in good standing are eligible candidates for any office of the Association or seat as a Faculty Representative in the Representative Council, unless otherwise provided in these by-laws.

SECTION 3-NOMINATIONS

Officer and delegate positions shall be subject to open nominations by all active members unless otherwise provided in these by-laws. Faculty Representative from each voting unit shall deliver all such nominations to the Elections Committee. The Elections Committee shall report all nominations received from the voting units to the Representative Council and shall publish to the Association members a list of all candidates by office or position, and a brief informational paragraph, if submitted, on each candidate.

Positions for Directors to the Executive Board shall be subject to open nominations by all members of the constituency they are to represent as provided for in these by-laws. The Elections Committee shall report all nominations received to the Representative Council and shall publish to each constituency a list of candidates, and a brief informational paragraph, if submitted, on each candidate.

The active members of each voting unit may nominate from said unit to represent them on the Representative Council in accordance with these by-laws. Representatives at each site shall report and publish all nominations to the voting unit.

SECTION 4-BALLOTING

All officers and delegates of the Association shall be elected by majority vote, by secret ballot if said individuals are to vote on LSEA/WEA/NEA policies affecting members.

Directors to the Executive Board shall be elected by majority vote, by secret ballot of the constituency they are to represent.

In the event any candidate does not win by majority vote, a second election shall be conducted to decide between the two (2) top candidates of the first election.

All active members in good standing of the Association shall be entitled to vote for the Association officers, directors, representatives and delegates as prescribed in these by-laws.

The Elections Committee shall report the results of the balloting to the President who shall cause them to be published.

It shall be the responsibility of each voting unit to determine the method of selecting representatives to the Representative Council from among themselves; provided said methods allow open nominations and afford all active members of the voting unit appropriate opportunity to vote and hold positions.

SECTION 5-TAKING OFFICE

All persons elected as officers of the Association or Faculty Representative shall take their office, position or seat by July 1.

SECTION 6-RECALL OF OFFICERS AND DIRECTORS

An officer or director may be removed from office for malfeasance by a recall election initiated by the Executive Board, or the General Membership.

- a. Executive Board members may request a recall election by two-thirds (2/3) majority vote of all Board members,
- b. The General Membership may request a recall election by petition containing signatures from one-third (1/3) of the active membership,
- c. The Executive Board shall then notify the officer/director of the recommended recall,
- d. An Election Committee shall be convened and a recall election scheduled within twenty (20) school days after the officer/director has been notified,
- e. Upon an affirmative majority vote by secret ballot of the General Membership, the officer/director shall be deemed removed and the office vacant,
- f. The vacant office or position shall be filled in accordance with these by-laws.

SECTION 7-RECALL OF BUILDING REPRESENTATIVES

Building Representatives may be recalled or removed by a two-thirds (2/3) vote of all voting unit members. If a building representative is recalled or removed, a new building representative may be selected by the voting unit to serve the balance of the term.

SECTION 8-SPECIAL ISSUES

Balloting of the General Membership, or voting unit, required for reasons other than is provided within this Article, shall be conducted at the direction and supervision of the Executive Board and in accordance with other Articles of these by-laws.

ARTICLE X GENERAL MEMBERSHIP

SECTION 1-MEETINGS

The Executive Board shall call at least one (1) meeting of the General Membership each year and at said meeting professional issues shall be discussed.

The Executive Board may call special meetings of the General Membership at the request of the President. The Executive Board shall call special meetings of the General Membership on request of the Representative Council.

As a result of any General Membership meeting or Special General Membership meetings, the Representative Council may choose to refer an Association issue(s) to the members for a vote as stated in Article IX, Section 4 of these by-laws.

SECTION 2-DUES AND ASSESSMENTS

Dues shall be assessed at a rate of up to .8% of the base salary of the Lake Stevens School District Number Four rounded to the nearest dollar. Base salary will include both the base of the regular salary schedule and the base of the TRI schedule. The Executive Board shall have the authority to increase or decrease the dues rate to the minimum level necessary to support a full time release president provided that increases do not exceed .05% in any one year and the total amount does not exceed .9% of the base salary of the Lake Stevens School District Number Four base salary rounded to the nearest dollar.

SECTION 3-ELECTION OF OFFICERS

Election of Association officers will be submitted to the General Membership. Determination of the winner of each position is by majority vote of those casting a vote for each position.

SECTION 4-AMENDMENTS

Amendments to these by-laws will be submitted to the General Membership and must be approved by a two-thirds (2/3) vote of those members casting a vote.

SECTION 5-VOTING REQUESTS

The Representative Council may at any time refer any matter to the General Membership for a vote by that body.

SECTION 6-RIGHTS

Any member of the Association who does not hold a seat on the Executive Board, Representative Council and/or the Committees may attend those meetings and shall have the privilege to speak, but shall sit apart from the voting body if provision is made for such seating.

SECTION 7-PETITION FOR SECRET BALLOT

Any member who feels that the Representative Council has made a decision that may be contrary to the majority of the membership and can obtain one-third (1/3) of the membership's signatures stating that the decision in question be put up to a secret ballot (for acceptance or rejection) by building, may do so by presenting above said document to the President.

ARTICLE XI RATIFICATION OF AGREEMENTS

SECTION 1-COLLECTIVE BARGAINING AGREEMENT

Successor agreements to the Collective Bargaining Agreement between the Lake Stevens Education Association and the Lake Stevens School District Number 4, must be ratified by submission to a vote of the General Membership and approved by a majority of the members casting votes; provided that the General Membership may delegate its power to ratify such contracts and agreements to the Representative Council during break between academic years by submitting such delegation-of-power proposal to a vote of the General Membership before the end of the school year and its approval by a majority of the members casting a vote.

SECTION 2-MEMORANDA OF UNDERSTANDING

Memorandum of Understanding (MOU) shall be defined as an alteration, insertion, or deletion of specific contract provisions within the duration of the ratified Collective Bargaining Agreement. The Executive Board shall determine the scope of the impact on the membership of such agreements and refer them to the appropriate body for a ratification vote; provided that the Executive Board shall have the authority to ratify such agreements during the break between academic years should the Board deem ratification necessary and beneficial to the membership.

SECTION 3-CONTRACT WAIVERS

The Association may allow waiver of specific provision of the Collective Bargaining Agreement in accordance with the following:

- a. Contract Waiver shall be defined as the intentional waiving of rights or protections granted by a specific section(s) of the Collective Bargaining Agreement with the knowledge and consent of the members affected by such a waiver.
- b. Members requesting a contract waiver must submit the form which can be obtained from the Association office. The completed form must be submitted to the Association President for review by the Executive Board. The Executive Board, at its discretion, may then submit the request to the affected members for input and/or voting purposes. Waivers shall be granted only in accordance with the provisions of this section.
- c. Contract waiver requests initiated by the District shall be directed to the Executive Board through the Association President. At its discretion, the Executive Board may then submit the request to the affected members for input and/or voting purposes. District initiated waivers shall be granted only in accordance with the provisions of this section.
- d. Contract waiver requests must include the following:
 1. Reference to the specific provisions of the Agreement requested to be waived;

2. Rationale for the waiver;
 3. The specific beginning and ending dates for the waiver (not to exceed one school year);
 4. Description of Association members to be affected and how they would be affected;
 5. Description of how the decision to request the waiver was made and evidence it reflects the interest of a significant majority of those members to be affected;
 6. Description of any cost or budget impact to the Association of the waiver;
 7. Explanation of how the waiver, if granted, might affect other Association members or other operations of the District.
- e. The Association shall not grant any contract waiver without first obtaining 85% approval vote by secret ballot from members of the Association's bargaining unit that are directly affected by the waiver.
 - f. No waiver shall be granted for duration of more than one (1) school year, and no waiver shall be granted for a duration that extends beyond the expiration date of the Collective Bargaining Agreement.
 - g. No waiver shall be approved unless the Association and the District have agreed to the following conditions:
 1. Waivers granted are not precedent setting;
 2. All waived provisions shall return to the status originally prescribed by the Collective Bargaining Agreement upon expiration of the waiver;
 3. A waiver, once granted, will be considered an addendum to the Collective Bargaining Agreement, and any dispute as to its interpretation or application shall be subject to the grievance provisions of the Collective Bargaining Agreement.

ARTICLE XII AMENDMENTS

These by-laws may be amended by the General Membership by a two-thirds (2/3) vote of those members voting in the election. If the proposed amendment is approved by a two-thirds (2/3) vote in the election, then the amendment shall become effective; otherwise these by-laws shall remain unchanged.

ARTICLE XIII PARLIAMENTARY AUTHORITY

STURGIS' STANDARD CODE OF PARLIAMENTARY PROCEDURE shall be the parliamentary authority for the Association on all questions not covered by the Constitution and By-Laws and such standing rules as the Representative Council may adopt.