

Bellevue Education Association

CONSTITUTION

ARTICLE I—NAME AND INCORPORATION

Section 1. The name of this organization shall be the Bellevue 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 Bellevue School District 405.

ARTICLE III—AFFILIATION

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

ARTICLE IV—MEMBERSHIP

Section 1. All non-supervisory certificated employees of the Bellevue School District who meet the active membership requirements of the Washington Education Association and National Education Association may, upon payment of dues as herein provided, become active 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 all Association meetings except as specified in this Constitution and Bylaws.

Section 5. Unless otherwise expressly provided by law, persons who tender agency shop fees shall have no rights or privileges within this Association.

ARTICLE V—DUES, FEES, AND ASSESSMENTS

Section 1. Association members and agency shop fee payers shall pay dues/fees as established in the Bylaws. The dues/fees shall be payable through monthly payroll deductions.

Section 2. The Association may levy special assessments on its membership as provided in the Bylaws. The special assessment must first be approved by a majority vote of the members of the Representative Council. The special assessment must thereafter be presented for a vote of the general membership and be approved by a two-thirds majority of the members who vote in such election. Assessments will be collected in the same manner as are the dues.

ARTICLE VI—OFFICERS

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

Section 2. Nominations from the floor shall be called for and received at the March Representative Council meeting. Nominations of officers shall be closed at the April meeting of the Representative Council following notice to all members and an open period for nominations. Specific requirements concerning this notice and this open period shall be contained in the Bylaws. Elections occur in May and will begin not less than ten (10) days following the close of nominations.

Section 3. The term of office for officers shall be two (2) years, beginning July 10, 2004. Terms of officers shall be limited to three (3) consecutive two-year terms or a total of no more than seven (7) consecutive years in any one officer position. Officers shall be elected in even years.

Section 4. In the event of a vacancy in the office of President, the Vice President shall become President for the balance of the term. All other vacancies shall be filled as described in the Internal Procedures.

Section 5. The duties of officers shall be as provided in the Bylaws.

Section 6. An elected officer may be removed from office for cause by a recall election which may be initiated through a petition signed by 10 percent of the membership. A general membership meeting will be scheduled prior to the recall election within thirty (30) days after receipt of the recall petition. Following the general membership meeting, the recall election shall be by secret ballot of the membership. The Executive Board shall notify in writing any officer who has been recommended for recall.

ARTICLE VII—REPRESENTATIVE COUNCIL

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

Section 2. The Representative Council shall consist of the Executive Board and one or more representatives from each staff work site and department as specified in the Bylaws.

Section 3. Members each work site shall elect for a term of one (1) year two (2) Representative Council members. Schools may elect a third rep with 60 members, a fourth rep with 80 members, a fifth rep with 100 members, etc. There shall be at least one member per work site.

Section 4. One at-large member of rep council shall be elected for a term of one (1) year from each of the following constituency groups for a total of nine (9) at-large positions:

- special education
- OT, PT
- SLP
- counselors
- psychologists and social workers
- nurses
- curriculum, TASS and technology
- ESL, Title I and gifted
- elementary specialists

Section 5. Terms will begin on the first Representative Council meeting in September. Any vacancy will be filled by election in the building for the remainder of the term.

Section 6. Members of the Representative Council shall be elected as set forth in the Bylaws.

Section 7. The specific duties of the Representative Council shall be provided in the Bylaws.

Section 8. Efforts will be made to have the composition of the Representative Council reflect the ethnic diversity of the Association membership.

Section 9. Each member of the Representative Council shall attend regular meetings of the Representative Council or provide a substitute unless he/she receives a prior excuse from the President. After two (2) unexcused absences of a representative, the President may declare the seat unfilled and call for an election to fill out the term.

Section 10. A recall election shall be held after the receipt of a petition bearing the signatures of at least 50 percent of the representative's local constituency. The recall election will then be held within thirty (30) days of the receipt of the petition.

Section 11. 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 the At-Large Representatives.

Section 2. At-large members of the Executive Board shall be elected by the membership for a term of two (2) years from each of the following constituency groups for a total of seven (7) at-large positions:

- Two representing elementary
- One representing middle school
- One representing high school
- One representing student services, including teachers of special education; gifted, ESL and Title I students
- One representing student services, including elementary and secondary counselors, OT/PT/SLP, psychologists, nurses, and social workers
- One representing specialists, including art, music, and physical education; librarians; CTE; curriculum and technology department

Section 3. The Executive Board shall be the body through which the general administrative and executive functions of the Association shall be carried out.

Section 4. At-large representatives shall be elected as set forth in the Bylaws.

Section 5. The specific duties of the representatives serving on the Executive Board shall be provided in the Bylaws.

Section 6. Executive Board representatives may be recalled in the same manner as is outlined above in Article VI, Section 6.

Section 7. The Bylaws will support efforts to have the composition of the Executive Board reflect the ethnic diversity of the Association membership.

Section 8. Except for the office of the President, vacancies on the Executive Board shall be filled by special election unless the Executive Board in its discretion determines that the balance of the incumbent's term is

so short as not to warrant an election.

ARTICLE IX - SAMMAMISH UNISERV COUNCIL BOARD OF DIRECTORS

Section 1. The President shall be designated to serve on the Sammamish UniServ Council Board of Directors.

Section 2. Additional Sammamish UniServ Council Board of Director positions shall be elected by the membership in the spring of odd years according to the timeline set forth in the Bylaws.

Section 3. Candidates for the position of Sammamish UniServ Council Board of Directors must have Rep Council, Exec Board or other BEA Leadership Experience.

Section 4. Each term of office shall be for two (2) year(s). Vacancies on the Board of Directors shall be filled by recommendation from the President of the Association and the Executive Board shall consider and approve, change, or disapprove all such recommendations.

Section 5. UniServ representatives may be recalled in the same manner as is outlined above in Article VI, Section 6.

ARTICLE X—POLICY AUTHORITY

A majority vote of the membership present and voting at any duly authorized meeting or at a meeting of the Representative Council shall determine the policies and actions of the Association except as otherwise provided in the Constitution and Bylaws.

ARTICLE XI—PARLIAMENTARY AUTHORITY

The current edition of Sturgis Standard Code of Parliamentary Procedure 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 25 percent of the membership. This Constitution shall be amended by a two-thirds secret ballot vote of the members voting. Notice of this election and the proposed amendment(s) shall have been delivered to the membership at least twenty (20) days in advance. Voting, at the discretion of the Executive Board, may be part of a general membership or special meeting, or through other established election procedures. Amendments shall become effective immediately unless otherwise provided.

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 and agency shop fee payers shall pay local dues in the amount of one percent of the base salary and incentive pay of the first cell (first year teacher with no experience, with a BA) on the Bellevue School District salary schedule.

Section 2. Special provisions may be made for members of other locals transferring into this local during the membership year.

Section 3. The Association may levy special assessments on its membership. The special assessment must first be approved by a majority vote of the members of the Representative Council. The special assessment must thereafter be presented for a vote of the general membership and be approved by a majority of the members who vote in such election. Assessments will be collected in the same manner as are the dues.

ARTICLE III—MEETINGS

Section 1. There shall be at least eight (8) Executive Board meetings per year. All Executive Board meetings shall be called by the President with at least 7 (seven) days written notice or by a majority of the Executive Board with at least 7 (seven) days written notice.

Section 2. The President shall call at least eight (8) meetings of the Representative Council each year.

Section 3. General meetings of the membership may be called by the President and/or the Executive Board, or within fifteen (15) workdays of the receipt of a petition to the President signed by twenty (20) percent of the members. Definition and examples of emergency situations are set forth in the BEA Internal Operating Procedures document.

Section 4. All meetings of the membership, except special meetings, shall be announced by a written notice to the membership at least 10 (ten) days in advance of said meeting.

Section 5. The Executive Board by a majority vote may call a special meeting of any governance body at any time.

ARTICLE IV—DUTIES OF OFFICERS

Section 1. The President shall:

- a. preside at all official meetings and shall perform such duties as are customarily associated with the office,
- b. recommend to the Executive Board the members to be considered for appointment to committees.
- c. serve as an ex-officio member of all committees or designate someone to do so.
- d. charge committees with their duties,
- e. represent the Association at meetings of the Sammamish UniServ Council Board of Directors, and
- f. represent the Association at meetings with school district management.

- Section 2. The Vice-President shall:
- a. assist the President,
 - b. act in the absence of the President, and shall,
 - c. serve as the Budget Committee chair.

- Section 3. The Secretary shall:
- a. keep accurate minutes of all Executive Board and membership and Representative Council meetings

- Section 4. The Treasurer shall:
- a. oversee the Association budget and accounting,
 - b. see that financial records of the Association are maintained,
 - c. oversee the collection, transmittal, and disbursement of dues,
 - d. assist in the preparation of the annual budget of the Association, to be submitted for approval at the December meeting of the Representative Council,
 - e. keep the president and executive board informed of the financial condition of the Association, and
 - f. present a financial report once a year at a meeting of the Representative Council.

ARTICLE V—DUTIES OF THE REPRESENTATIVE COUNCIL

- Section 1. The duties of the Representative Council shall consist of the following:
- a. attend Representative Council Meetings,
 - b. adopt the annual budget,
 - c. approve or ratify the establishment of paid positions in the Association,
 - d. represent your building in Rep Council discussions and actions,
 - e. Communicate with members in your building following each Rep Council Meeting,
 - f. forward communication from the BEA Office to the BEA members in your constituency.
 - g. be familiar with your contract provisions and be available to problem solve with members regarding contract rights,
 - h. be available to accompany a member to a meeting with an administrator, or contact the BEA Office right away if a member is informed an administrator has “serious performance concerns” or could be facing disciplinary action,
 - i. invite colleagues to join the Association,
 - j. coordinate BEA Elections in your building and if online elections are not possible, deliver paper ballots to BEA on time,
 - k. enact such other measures as may be necessary to achieve the goals and objectives of the Association which are not in conflict with the Constitution and Bylaws.

ARTICLE VI—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 the Constitution and these Bylaws.

Section 2. The Executive Board shall see that the budget is prepared and submitted for approval at the December meeting of the Representative Council.

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 general membership and special meetings.

Section 4. With the exception of committees established by the membership or the Representative Council, 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. The duties of each Executive Board at-large representative shall consist of: Attending all meetings of the Executive Board and Representative Council meetings and representing their membership at those meetings, and making regular contacts with the Faculty Representatives in their constituency to maintain two-way communication and to make building visits.

Section 6. Each term of office shall be for two (2) year(s) and commence on July 10. Terms of office shall be staggered so that the Elementary Representative Position 1 and Specialist positions are elected in even years; and the High School Representative, Middle School Representative, Elementary Representative Position 2 and Student Services Specialist Representative are elected in odd years.

ARTICLE VII—DUTIES OF THE REPRESENTATIVES TO THE SAMMAMISH COUNCIL BOARD OF DIRECTORS

Section 1. Each member of the Sammamish UniServ Council Board of Directors shall attend regular meetings of the Council and be active participants in Board designated activities

Section 2. Board members must make a report to Rep Council at least once a year and when otherwise deemed necessary or appropriate.

ARTICLE VIII - NOMINATIONS AND ELECTION OF OFFICERS, EXECUTIVE BOARD REPRESENTATIVES, REPRESENTATIVE COUNCIL, SAMMAMISH COUNCIL BOARD OF DIRECTORS AND WEA AND NEA DELEGATES

Section 1. Nominations for WEA and NEA Delegates shall be opened by the President in a timely manner to allow for submittal of registration materials by the deadline established by WEA.

Section 2. Nominations from the floor for officers, Executive Board, and Sammamish UniServ Council Board of Directors shall be called for and received at the March Representative Council meeting as described in the Internal Operating Procedures. At the closing of the Representative Council meeting in April the nominations shall be closed.

Section 3. The ballot shall include candidates for all open Association offices and/or representatives. All officers, Executive Board Representatives, and Sammamish UniServ Council Board of Directors shall be elected by the general membership. All Representative Council members shall be elected by the members of their respective work site or constituency groups as listed in the Constitution.

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. No single member of the Executive Board may be elected to more than one (1) concurrent Executive Board position.

Section 7. The election of WEA and NEA Representative Assembly delegates shall follow the election procedures outlined by WEA and NEA. These delegates shall be elected at-large.

ARTICLE IX—COMMITTEES

Section 1. Committees are authorized by the Bylaws. Special committees may be established by the Executive Board. The President recommends committee members to the Executive Board for approval. Committee members shall serve for a term specified by the Executive Board or until a recommendation by the President to discharge the member is approved by the Executive Board.

Section 2. When appropriate, a summary or minutes of the proceedings of each committee shall be filed with the President of the Association. The President shall provide copies of the minutes of standing committees to the committee chairpersons upon request for the ensuing year. All committees shall report to the membership as directed by the President and/or the Executive Board.

ARTICLE XII—MEMBERSHIP AND FISCAL YEAR

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

ARTICLE XIII—RATIFICATION OF AGREEMENT AND AUTHORIZATION FOR STRIKES

Section 1. The President and the chairperson of the bargaining team shall be authorized to sign a legal, binding, yearly or multi-year agreement with the employing board after completion of the following procedure:

- a. a report and recommendation by the bargaining team to the Executive Board,
- b. a report and recommendation by the Executive Board to the membership,
- c. a written digest of the proposed agreement or changes provided to all members, and
- d. a majority affirmative vote by secret ballot of the membership voting.

Section 2. Ratification of amendments to the negotiated agreement shall occur by a vote of the total active membership using an online voting process after a report and recommendation to the Executive Board, Representative Council, and membership:

Section 3. Except in a work stoppage situation, at least a twenty-four (24) hour written notice of the ratification vote is required. The notice shall specify the date, time, place and purpose of the vote.

Section 4. Strike action must be authorized by a two-thirds majority vote of those members present and voting at any duly authorized meeting of the membership.

ARTICLE XIV—QUORUM

Section 1. Attendance by 25 percent of the Association membership shall constitute a quorum at any duly authorized General Membership meeting.

Section 2. Quorum at any duly authorized meeting of the Executive Board, Representative Council, or any Association committee shall be a majority of its members.

ARTICLE XV—AMENDMENTS

Proposals to amend these Bylaws may be made by the Executive Board or by petition of 25 percent of the membership. These Bylaws shall be amended by a majority secret ballot vote of the members voting. Notice of this election and the proposed amendment(s) shall have been delivered to the membership at least twenty (20) days in advance. Voting, at the discretion of the Executive Board, may be part of an annual or special meeting, or through other established election procedures. Amendments shall become effective immediately unless otherwise provided.