



Northshore Education Association

# *Bylaws*

Revised April 22, 2019

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**NSEA**

**Northshore Education Association**

# **Bylaws**

**Revised April 22, 2019**

## **ARTICLE I**

### **NAME AND INCORPORATION**

- Section 1. The name of this corporation shall be the Northshore Education Association (NSEA), hereinafter referred to as the Association.
- Section 2. The Association shall be incorporated as a nonprofit corporation under the laws on the State of Washington.

## **ARTICLE II**

### **PURPOSE AND AFFILIATION**

- Section 1. The purpose of the Association shall be to represent all certificated and educational support professional (ESP) members in bargaining, grievances and in all matters relating to terms and conditions of employment with the Northshore School District No. 417. (4/16)
- Section 2. The Association shall affiliate with the Washington Education Association and the National Education Association.

## **ARTICLE III**

### **MEMBERSHIP, DUES, FEES and ASSESSMENTS**

- Section 1. **Active Membership**  
All educational employees who meet the active membership requirements of the Washington Education Association and the National Education Association may, upon payment of dues as herein provided, become active members of this Association with full rights and privileges. (6/95)
- Section 2. **Revocation of Membership**  
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 3. **Membership Rights and Privileges**  
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 and voting upon contract ratification;
  - e. to attend membership meetings.
  - f. Members of the Association employed as certificated employees shall guide activities related to collective bargaining and contract enforcement related to their employment with the Northshore School District. (4/16)
  - g. Members of the Association employed as ESPs shall guide activities related to collective bargaining and contract enforcement related to their employment with the Northshore School District. ESP members of the Association shall select representatives from each work site who shall meet periodically to address the

matters described above. These Leadership Meetings shall include ESP representatives from each work site, ESP Committee Chairs, and Association ESP leaders. (4/16)

Section 4. ***Affiliate Memberships***

Active members of the Association shall also be members of the Washington Education Association and the National Education Association.

Section 5. ***Agency Shop Fee Persons***

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

Section 6. ***Dues, Fees, and Assessments***

- a. Association members and agency shop fee persons shall pay dues/fees as established in the Bylaws. The dues shall be payable within sixty (60) days of September 1 or date of employment via monthly payroll deductions. (4/16)
- b. Dues for active certificated membership in the Association shall be .007 rounded off to the nearest dollar, of the beginning teacher's educational employee's salary. The amount shall be adjusted accordingly as the total of the base salary, TRI, and supplemental days on the educational employee's salary schedule changes. The membership year shall be from September 1 to August 31. (11/86) (4/14) (4/16)
- c. Dues for active ESP membership in the Association shall be determined by the Executive Board. The membership year shall be from September 1 to August 31. (4/16)
- d. Dues for active membership of substitutes may be set annually by the Executive Board. Dues shall be payable each day the substitute member works as a substitute employee for the Northshore School District. The dues shall be paid via payroll deduction for a maximum of ninety (90) days worked as a substitute with the District. The dues shall include substitute dues of the local, state, and national affiliated organizations. (9/89) (2/93) (3/93) (4/16)
- e. Dues for Athletics and Activities Association . . . SEE Article 16, AAA CBA.

## **ARTICLE IV OFFICERS**

Section 1. The officers of the Association shall be the President, Certificated Vice President, ESP Vice President, and Secretary/Treasurer. (10/95) (4/16)

Section 2. The officers and employees of the Association are bonded through the NEA Fidelity Bond. (2/93)

Section 3. ***Duties***

a. **President**

- (1) Present a calendar of Executive Board and Representative Council meetings to Executive Board and Representative Council for approval. Call and preside over meetings of the Executive Board, the Representative Council, and the General Membership; appoint the chairpersons and members of the standing committees except as provided in these Bylaws; appoint special committees and task forces; and be a consulting member of all committees. (2/93) (1/07)
- (2) Be responsible for the distribution of the agenda three (3) calendar days prior to all regularly scheduled meetings of the Representative Council and Executive Board.
- (3) As executive officer of the Association, represent the Association before the public, either personally or through designated representatives.
- (4) Provide leadership for the development, interpretation, and furtherance of Association policy and yearly goals. Direct up-to-date records of such actions

- be kept and to promulgate Association policies and Strategic Plans to the membership. (3/11/02) (1/07)
- (5) Appoint bargainers with input from the Executive Board, to call for formal bargaining, and to meet with the Bargaining Committee, elected officers, Executive Board, Representative Council, and the UniServ Representative(s) relative to bargaining. (5/7/01) (1/07)
  - (6) Provide for the preparation of committees and task force charges, and for the coordination of their activities. (1/07)
  - (7) Provide liaison with WEA and NEA and coordination of Association delegates to the WEA and NEA Representative assemblies.
  - (8) If Certificated, be paid: (4/16)
    - a. The current placement on the salary schedule
    - b. Thirty (30) percent of the current base salary, TRI, and supplemental days (4/14)
    - c. An amount equal to any/all supplemental contracts
    - d. An equitable portion of any special grants coming to the Northshore School District
    - e. An additional one month salary and stipend for Presidents working twenty (20) or more days in the summer months. (10/95) (1/07)
  - (9) If ESP, be paid: (4/16)
    - a. The highest rate and step of the ESP salary schedule
    - b. Thirty (30) percent of the highest rate and step of the ESP salary schedule and supplemental days
    - c. An amount equal to any/all supplemental contracts
    - d. An equitable portion of any special grants coming to the Northshore School District
    - e. An additional one month salary and stipend for Presidents working twenty (20) or more days in the summer months.
  - (10) Sign contracts, grievances, and other instruments connected with the business affairs and professional activities of the Association. (5/03)
  - (11) Perform such duties as may properly pertain to the office as provided elsewhere in the Bylaws, standing rules, and the Association/District Collective Bargaining Agreements (i.e., Labor/Management Council(s) and other joint committees).
  - (12) Procedures for Transition of President – A joint relief will be accomplished prior to assumption of duties as the President of NSEA. Up to three days of substitute pay will be allocated in the NSEA budget to provide for a proper transition. During this period both parties will thoroughly review and discuss the following items together:
    - a. Personnel, job descriptions, including UniServ Rep
    - b. All NSEA files, including general, CMC, and appropriate UniServ files.
    - c. All finances, contracts, bank accounts, and an up to date budget report.
    - d. Equipment/Utilities
    - e. Bylaws
    - f. Status of Collective Bargaining Agreement
    - g. NSEA Yearly Goals
    - h. Committees: status, duties, composition, and pending issues before all committees.

These procedures will be accomplished prior to July 1<sup>st</sup>.

The President Elect will prepare a letter specifying that each of the above items has been accomplished; list any discrepancies, pending issues, and any facts in dispute. The President shall endorse this letter and address any facts in dispute. This report will be jointly presented to the Membership at the first Representative Council meeting of the following school year. (3/02)

- a. **Certificated Vice President** (4/16)
  - (1) Provide assistance to the President in the development and interpretation of Association policy as directed by the President.
  - (2) Represent the Association at meetings as designated by the President.

- (3) Carry out administrative functions as designated by the President.
- (4) Perform such duties as may properly pertain to the office of the Certificated Vice President.

b. **ESP Vice President** (4/16)

- (1) Provide assistance to the President in the development and interpretation of Association policy as directed by the President.
- (2) Present a calendar of ESP Leadership and other meetings.
- (3) Represent the Association at ESP Leadership meetings as designated by the President and preside at ESP meetings described in Article III Section 3, g.
- (4) Carry out administrative functions as designated by the President.
- (5) Perform such duties as may properly pertain to the office of the ESP Vice President.

c. **Secretary/Treasurer**

- (1) Exercise general supervision over the receipt and disbursement of all funds held by the Association.
- (2) Exercise general supervision and approval over records of all proceeding of Representative Council, Executive Board, and General membership meetings (10/95).
- (3) Give quarterly and annual financial reports and other reports deemed necessary by the Executive Board and Representative Council. (4/80)
- (4) Supervise bookkeeping and make financial records available for a yearly review. (4/80)
- (5) Participate in the preparation and in the distribution of the budget. (3/77)
- (6) Perform such other duties as may properly pertain to this office and as may be provided elsewhere in the Bylaws or standing rules.

## **ARTICLE V EXECUTIVE BOARD**

Section 1. **Composition**

The Executive Board shall be comprised of the officers of the Association and eleven persons for the following positions. (10/95) (9/97) (1/07) (4/16)

- a. One (1) Certificated Primary Elementary Representative to represent Pre-Kindergarten through second grade elected by the certificated membership. (1/07) (4/16)
- b. One (1) Certificated Intermediate Elementary Representative to represent third through fifth grade elected by the certificated membership. (1/07) (4/16) (4/19)
- c. One (1) Certificated Middle School Representative to represent all Middle School programs elected by the certificated membership. (1/07) (4/16) (4/19)
- d. One (1) Certificated Senior High Representative to represent all Senior High programs including Secondary Academy for Success (SAS) elected by the certificated membership. (1/07) (4/16)
- e. One (1) Certificated Specialist Representative to represent, Title I, Counselors, Librarians, ELL, Teachers On Special Assignment (TOSAs), and all elementary specialists not considered classroom teachers elected by the certificated membership. (8/09) (4/16)
- f. One (1) Certificated Special Education Representative to represent Pre-Kindergarten through twelfth grade Special Education teachers, SLPs, OT/PTs, audiologists, vision specialists, and psychologists and instructors working in the transition school-to-work program elected by the certificated membership. (8/09) (4/16)
- g. Two (2) Certificated At-Large Representatives elected by the certificated membership. (1/07) (4/16)

- h. Three (3) ESP At-Large Representatives elected by the ESP members.

***Ethnic Minority Guarantees***

If after taking office, the Executive Board does not have adequate ethnic minority representation as required by the National Education Association and the Washington Education Association, proportionate to the total ethnic minority member ratio, the President, subject to the approval of the Executive Board, may appoint ethnic minority(s) to bring the Executive Board into compliance (i.e., if the minority population of the Association is 20% or more, then 20% or more of the Executive Board will be represented by minority members). (10/95)

Section 2. ***Meetings***

- a. The Executive Board shall meet each calendar month during the school year. Notice of all regular meetings shall be sent at least three (3) calendar days in advance and shall include an agenda. Meetings are open to active members of the Association.
- b. Special meetings may be called by the President or when requested in writing by a majority of the Executive Board. (2/93)

Section 3. ***Quorum***

- a. A majority of currently serving Executive Board members shall be necessary to constitute a quorum. There shall be no proxies for the Executive Board.
- b. All Executive Board voting decisions shall require a simple majority except where the vote is otherwise defined. (11/09)

Section 4. ***Powers and Duties***

- a. Exercise all the corporate powers of the Association and supervise its business affairs, subject only to limitations and restrictions provided by law and these Bylaws.
- b. Appoint and remove all agents and employees of the Association, determine their qualifications, determine their compensation, prescribe their duties in addition to those specified in these Bylaws and standing rules and require such agreements and bond as may be necessary to insure faithful service.
- c. Authorize the execution of contracts and other agreements to the efficient conduct of the business of the Association.
- d. Prepare and approve a budget for September 1 to August 31, to be presented to Representative Council.
- e. Authorize expenditures and/or transfer of funds for any purpose not contained in the budget.
- f. Supervise receipts and expenditures and set up procedures for the safe-keeping of all funds of the Association.
- g. Incur indebtedness in the name of the Association for such sums as are necessary for current operations and/or projects of the Association.
- h. Provide for the maintenance of a complete record of the meetings of the Executive Board, Representative Council, General Membership and for the preparation of:
  - (1) progress reports to members;
  - (2) progress reports from committees;
  - (3) annual reports;
  - (4) audit of finances;
  - (5) yearly goals; (1/07)
  - (6) activities of interest to the Association.
- i. Recommend policies and goals to the Representative Council.

- j. Provide for Representative Council training sessions/workshops each year. (10/95)
- k. Within the annual budget, employ a staff and provide office space and necessary furniture and fixtures for the efficient administration and management of the Association.
- l. Authorize taking a grievance to binding arbitration and allocating Association funds for such purposes. (10/95)
- m. Receive and review proposed Bylaw amendments from any member. (5/7/01)
- n. Exercise such other powers and perform such other duties as may be prescribed elsewhere in these Bylaws. (2/93)
- o. Provide input to the President for the appointment of bargainers. (5/7/01)
- p. Review and approve independent audit. (1/07)
- q. Review and approve meeting schedule as proposed by the President. (1/07)

**ARTICLE VI**  
***NOMINATIONS, ELECTIONS, and RECALL***

Section 1.

***Nominations and elections shall be executed in the following manner:***

- a. During the month of March, all active members may nominate candidates for President and Secretary/Treasurer as provided in these Bylaws. (4/16)
- b. During the month of March, Certificated members may nominate candidates for Certificated Vice President and eight (8) certificated Executive Board Members as provided in these Bylaws. (4/16)
- c. During the month of March, ESP members may nominate candidates for ESP Vice President and three (3) ESP Executive Board Members as provided in these Bylaws. (4/16)
- d. Nominations shall be opened on the first Monday in March. Nominations will be accepted after the opening of the NSEA Office on the first Monday in March. Nominations shall be delivered in writing by the last work day in March by 5:00 p.m., to the Elections Committee. (5/7/01) (4/8/02) (1/07) (4/14)
- e. The Elections Committee shall report all nominations to the Representative Council at its first meeting in April. (4/8/02) (4/14)
- f. Nominations may be made from the floor at the first April meeting of the Representative Council by Council members. (4/8/02) (4/14)
- g. After verification of the candidates list, all nominees shall be notified by the Elections Committee or designee. (4/16)
- h. During the second teaching week of May on Tuesday, Wednesday, and Thursday, members shall vote for candidates by ballot in accordance with procedures developed by the Elections Committee and approved by the Representative Council. A winning candidate must receive a simple majority of legal and valid votes cast for that office. In the event no candidate for an office receives a majority of the votes cast for that office, a special election shall be held between the two candidates receiving the highest number of votes in accordance with the procedures established by the Elections Committee and approved by the Representative Council. The Elections Committee shall report results of the voting to the President who shall have them published. For an electronic election, a written summary of the election results will be submitted to the President who will have them published. The election results must be validated by a majority vote of the Representative Council. (2/80) (9/89) (4/8/02)

(1/07) (11/09) (4/14)

- i. An election by secret ballot may be waived and the candidate(s) declared elected by the Representative Council if, following a period of open nominations, the number of candidates is equal to or less than the number of open Association positions. (4/16)
- j. An election by secret ballot may be waived and the candidate(s) declared elected by the Representative Council if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled for delegates to Washington Education Association Representative Assembly and National Education Association Representative Assembly. (4/16)

Section 2. **Term of Office**

The term of office for officers and At-Large Representatives on the Executive Board shall be for two years beginning July 1. Officers and Representative on the Executive Board may be re-elected. (2/93) (4/02) The following officers will be elected on odd years: President, Certificated Vice President, Executive Board positions representing Certificated Primary Elementary, Certificated Middle School, Certificated Specialists, one (1) Certificated At-Large, and two (2) ESP At-Large. The following officers will be elected on even years: ESP Vice President, Secretary/Treasurer, Executive Board positions representing Certificated Intermediate Elementary, Certificated High School, Certificated Special Education, one (1) Certificated At-Large, and one (1) ESP At-Large. (3/03) (1/07) (4/16) (4/19)

Section 3. **Vacancies and Recalls**

- a. In the event of vacancy of the office of President, the Vice President with the greatest number of consecutive years of experience as Vice President shall become President for the balance of the term. In the event of a vacancy in the office of President and both Vice Presidents, the Executive Board shall fill the vacancies. (4/16)
- b. Except as provided in 'a' above, vacancies shall be filled by appointment by the President, approval of the Executive Board, and ratification by the Representative Council. (10/95)
- c. An elected officer may be removed from office for cause by a recall election which may be initiated by the Executive Board or general membership in one of the following manners:
  - (1) The Executive Board may request a recall election after a two-thirds (2/3) majority vote of the Executive Board (1/07) or
  - (2) The general membership may request a recall election of the Association President or Association Secretary/Treasurer by petition containing the signatures of thirty percent (30%) of the active members of the Association. (4/16)
  - (3) Certificated membership may request a recall of the Certificated Vice President or Certificated Executive Board members by petition containing the signatures of thirty percent (30%) of the active certificated members of the Association. (4/16)
  - (4) ESP membership may request a recall of the ESP Vice President or ESP Executive Board members by petition containing the signatures of thirty percent (30%) of the active ESP members of the Association. (4/16)
- d. The Executive Board shall notify in writing any officer who has been recommended for recall.
- e. A recall election will be scheduled within thirty (30) days after receipt of either the Executive Board's recall motion or the membership's recall petition. This election shall be determined by a majority of active members voting on the recall motion.
- f. The recall election shall follow all rules and procedures of the NSEA Election Policy regarding ballots and ballot procedures.



**ARTICLE VII**  
**REPRESENTATIVE COUNCIL**

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

Section 2. **Composition**

- a. At least one (1) member representative from each work site in the Northshore School District No. 417. A work site is considered to be any facility used for the purpose of education and/or administration. Representation shall be determined on the ratio of one (1) representative to fifteen (15) Association members or major fraction thereof in each work site. (9/89) (5/94)
- b. An elected work site representative shall be an active member in good standing of the Association. (9/89) (5/94)
- c. The composition of the Representative Council should reflect the ethnic minority representation at least proportionate to the total ethnic minority membership of the Association. (10/95)

If the Representative Council does not have adequate ethnic minority representation as required by the National Education Association and the Washington Education Association, proportionate to the total ethnic minority member ratio, the President, subject to the approval of the Executive Board, may appoint ethnic minority(s) to bring the Representative Council into compliance (i.e., if the minority population of the Association is 20% or more, then 20% or more of the Representative Council will be represented by minority members). (4/14)

- d. The President, Certificated Vice President, ESP Vice President, Secretary/Treasurer and elected members of the Executive Board shall be voting members. (10/95)
- e. The Parliamentarian may be appointed by the President.
- f. Any member of the Association who is not a member of the Representative Council may receive permission to speak but shall not have voting privileges.

Section 3. **Powers**

- a. Adopt and amend the Bylaws by a two-thirds (2/3) majority of those voting at any regular meeting provided that the amendments have been introduced at the preceding regular meeting of the Representative Council and that copies have been distributed for membership discussion.
- b. Determine the general policies of the Association.
- c. Adopt and revise the budget by simple majority voting at a regular Representative Council meeting.
- d. Confirm the nominations of members appointed by the President to the committees, and activities of the Association. (2/93) (1/07)
- e. Consider resolutions and recommendation of the Executive Board.
- f. Confirm elections by majority vote.
- g. Adopt rules governing the conduct of the Association and the conduct of meetings as are consistent with these Bylaws.
- h. Fill vacancies in accordance with these Bylaws.

- i. Approve any indebtedness the Association finds necessary in accordance with these Bylaws.
- j. Adopt and amend the Standing Rules, Election Policy and goals of the Association. (4/8/02) (1/07)
- k. Adopt the initial conceptual bargaining package for the Association. (3/79) (2/93)
- l. Approve addenda and letters of agreement between the Association and the District. (10/95)
- m. Actions of the Representative Council that require a majority vote (including but not limited to adopt, amend, confirm, determine, approve) shall pass by a simple majority, except where the vote is otherwise defined. (11/09)

Section 4. **Meetings**  
Beginning in September, Representative Council will approve the meetings schedule as recommended by the Executive Board. Special meetings may be called by the President or when requested in writing by one-third (1/3) of the members of the Representative Council. Notification shall precede special meetings by at least 24 hours. (10/95) (1/07)

Section 5. **Quorum**  
Representation of a simple majority of work sites of the Association shall constitute a quorum. For the purposes of a quorum call, Executive Board members may be considered alternate Building Representatives for their work site, to be counted in a quorum call. (5/7/01)

Section 6. **Alternates**  
Whenever a Representative Council member is unable to attend a meeting, he/she shall send an alternate to attend the meeting. The alternate shall exercise the powers and responsibilities of the regular representative at the meeting he/she attends. (10/95)

Section 7. **Term of Office**  
a. The Council representative and alternates shall serve for a term of one (1) year. The names of representatives and alternates shall be forwarded to the Association office. (10/95) (4/16)  
b. The new representatives shall take office the first Representative Council meeting in the fall. (10/95)

Section 8. **Representative Duties**  
a. Attend Representative Council meetings. (10/95)  
b. Represent issues and concerns of the work site. (10/95)  
c. Conduct Association business within the work site. (10/95)  
d. Organize a building-based union support team and report the names of union support team members to the NSEA Office. (6/14)  
e. Hold building meetings. (6/14)

Section 9 **Building Meetings**  
Building Reps shall hold building meetings as needed. As a general practice:  
a. Facilitate the smooth transaction of business. (10/95)  
b. Provide every member equal opportunity to propose motions, speak, ask questions, etc. (10/95)  
c. Promote majority rule; protect minority rights. (10/95)  
d. Allow full and free discussion of every proposition presented for discussion. (10/95)  
e. Insure that every member present knows the meaning of the questions and what its effect will be. (10/95)

## ARTICLE VIII COMMITTEE STRUCTURE AND PROCESS (1/07)

Section 1. **Definition**

A committee shall be defined as any group appointed and/or elected by the members and directed by the President to facilitate Association business. (1/07)

- Section 2. **Structure**  
a. Except wherein provided in these Bylaws, the chair and members of each committee shall be appointed by the President with the approval of the Representative Council. (2/93)  
b. With approval of the President, each standing committee may organize sub-committees or task forces as the need arises.
- Section 3. **Meetings**  
Each standing committee shall meet according to a calendar determined by the chair. (2/93)
- Section 4. **Reports**  
Each committee chair shall appoint a secretary who shall keep a continuing record of all committee activities to be submitted to the Association President. (2/93)
- Section 5. **Vacancies**  
The President shall appoint members to standing committees as vacancies occur. The President may be assisted by the Executive Board.
- Section 6. **Special Committees**  
The President shall appoint such other special committees as may be necessary and proper and shall discharge them upon completion of their duties.

## **ARTICLE IX STANDING COMMITTEES**

- Section 1. **Collective Bargaining Committee(s)**  
Collective Bargaining for certificated members and ESP members shall, whenever possible, be conducted with one bargaining team which shall negotiate separate contracts.
- a. Membership and term of office:  
1. The members shall be appointed by the President, with the Executive Board's guidance, and approved by the Representative Council. (6/81) (4/16)  
2. A Bargaining Table Team with a minimum of three (3) members shall be appointed by the President from the Bargaining Committee. (4/16)
- b. The Bargaining Committee shall explore and prepare action programs as necessary in all areas of member welfare including, but not limited to, benefits, insurance, working conditions, salary, retirement, and school calendar, as designated by the President and approved by the Representative Council. (9/82) (2/93) (4/16)
- c. The Bargaining Committee shall compile and present a conceptual bargaining package to the Representative Council for approval. (2/93)
- d. The Bargaining Committee shall provide regular reports to the Executive Board and/or as requested by the President.
- e. The Bargaining Committee shall pursue bargaining according to these Bylaws and current law.
- f. The Bargaining Committee shall submit results of bargaining to the Executive Board. The Executive Board will recommend a ratification process to Representative Council for their consideration. (10/95)

- g. The Bargaining Table Team shall review a yearly Northshore School District budget analysis completed by the Washington Education Association and conduct any other research deemed necessary by the Bargaining Table Team. (8/09) (4/16)

Section 2. **Elections Committee**

- a. The Elections Committee Chair shall be appointed by the President and approved by the Representative Council.
- b. Members of the Election committee shall:
  - (1) Be appointed by the Elections Committee Chair
  - (2) Follow Article VI of these bylaws for Nominations, Elections, and Recall procedures. (1/07)
  - (3) Conduct all general, special, and recall elections in accordance with the NSEA Election Policy.
  - (4) Present amendments of the Election Policy to the Representative Council for approval. (4/8/02)

Section 3. **Contract Maintenance Committees** (1/07)

a. **Certificated Contract Maintenance Committee Composition and Terms of Membership** (4/16)

- (1) Seven (7) members who shall each year elect from among themselves one (1) person to serve as chair; one (1) person shall represent the primary elementary level; one (1) person shall represent the intermediate elementary level; one (1) person shall represent middle school; one (1) person shall represent high school; one (1) person shall represent Special Education; one (1) person shall represent Specialists. In addition, one (1) non-officer Executive Board member will be a member. Nominations for and election of the Contract Maintenance Committee members shall be by and from Association members. Nominations shall be limited to three times the number of persons to be elected. (11/87) (9/92) (2/93) (1/07) (8/09)
- (2) Length of term shall be three (3) years. One/two persons shall be elected each spring to serve three (3) year terms. Vacancies shall be filled by appointment of the Committee for the remainder of the year. If reasonable efforts are unsuccessful in obtaining representation from a particular instructional level, the Committee may appoint persons from other instructional levels and/or disciplines with the approval of the Representative Council. (1/07)
- (3) A member of the Committee shall not act as such if he/she is party to the dispute. The Committee shall then be composed of six (6) members. (2/93) (1/07)
- (4) Neither the President nor Certificated Vice President shall be members of the Committee.

b. **ESP Contract Maintenance Committee Composition** (4/16)

- (1) The ESP Vice President and ESP members of the Association Executive Board shall serve as the ESP Contract Maintenance Committee.

c. **Duties** (1/07)

- (1) Review cases referred to it which relate to the legal and equitable application of the Collective Bargaining Agreement and interpretation of state and federal law, state school board regulation, school district policies, rules and regulations and/or charges of unjust or inequitable treatment.
- (2) Develop procedures for the review of charges made against any Association officer or member to include protection of the due process rights of all parties concerned, and to review such charges in the event they should arise. These procedures shall be approved by the Representative Council and copies shall be distributed to Representative Council each year. (4/80)
- (3) Review and make recommendations regarding contract waivers. (8/09)
- (4) Assist the Bargaining Team by reviewing contracts from comparable districts. (8/09)

Section 4. **Internal Audit Committee** (8/09)

a. **Composition and Terms of Membership**

- (1) The Internal Audit Committee will be a sub-committee of the Executive Board and will include the Secretary/Treasurer, the Certificated and ESP Vice Presidents, and an Executive Board member at large. (4/16)
  - (2) Length of term shall correspond to the term of office.
- b. **Duties**
- (1) Review the annual audit report of the Association, as prepared by Association bookkeeper and auditor.
  - (2) Review the annual IRS tax filing, as prepared by Association bookkeeper.
  - (3) Report findings to the Executive Board and Representative Council.

**ARTICLE X  
GENERAL MEMBERSHIP MEETINGS**

Meetings of the General Membership shall be called by the Association President or upon petition of 20% of the active members. Meetings of the General Membership shall be open only to active members in good standing. A quorum needed to transact business at the General Membership meeting shall be no less than 20% of the active membership, plus two (2) officers. (3/79)

**ARTICLE XI  
INITIATIVE AND REFERENDUM**

- Section 1. The membership shall have the right of initiative. A request must be stated in the form of a petition submitted to the President of the Association stating the action desired. The initiative petition must have valid signatures of at least one-fifth (1/5) of the active members.
- Section 2. The Representative Council may initiate a referendum whenever two-thirds (2/3) of the Council members so direct.
- Section 3. The Elections Committee shall conduct the voting by the general membership.

**ARTICLE XII  
PARLIAMENTARY AUTHORITY**

- Section 1. Sturgis Revised shall be the parliamentary authority for the Association on all questions not covered by these Bylaws and such standing rules as the Representative Council may adopt.
- Section 2. The President may appoint the Parliamentarian.

**ARTICLE XIII  
AMENDMENT**

These Bylaws may be amended by a two-thirds (2/3) majority of those voting at any scheduled meeting of the Representative Council provided that amendments have been introduced at the preceding scheduled meeting of the Representative Council and that copies have been distributed for membership discussions. A copy of the proposed amendment will be attached to the agenda and distributed to the Representatives before being presented to Representative Council for discussion.

01/24/2001  
05/07/2001  
01/14/2002  
01/22/2007  
11/17/2009  
04/21/2014  
06/09/2014  
04/18/2016  
04/22/2019