

# **PASCO ASSOCIATION OF EDUCATORS CONSTITUTION**

A Constitution establishes the fundamental framework and prescribes the nature, functions, and limits of the local Association. The Bylaws do not supersede the Constitution.

## **ARTICLE I-ORGANIZATION**

- Section 1. The name of this organization shall be the Pasco Association of Educators, hereinafter referred to as PAE and the Association.
- Section 2. The Association shall be incorporated as a nonprofit corporation under the laws of the State of Washington.
- Section 3. PAE shall affiliate with the Washington Education Association and the National Education Association.

## **ARTICLE II- PURPOSE**

- Section 1. The purpose of PAE shall be:
- a. To represent all members in bargaining, grievances, and in all matters relating to terms and conditions of employment with the Pasco School District.
  - b. To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interest before the Board of Education and other legal authorities;
  - c. To promote the cause of education in the Pasco School District and State of Washington.

## **ARTICLE III-MEMBERSHIP**

- Section 1. All certificated employees who meet the requirements of the Washington Education Association, the National Education Association and the negotiated contract between the Pasco School District and PAE may, upon joining, become active members of PAE with full rights and privileges. Membership shall be continuous from year to year.
- Section 2. Active members of PAE shall also be members of the Washington Education Association and the National Education Association.
- Section 3. All members of PAE shall have equal rights and privileges within the Association:
- a. Members may nominate candidates;
  - b. Members may vote in elections or on referenda of this Association;

- c. Members may hold office;
- d. Members may participate in the deliberations of the organization and vote on contract ratification;
- e. Members may attend membership and Representative Assembly meetings;
- f. Members may serve on committees

Section 4. Unless otherwise expressly provided by the law, persons who tender agency shop fees shall have no rights or privileges within this Association.

## **ARTICLE IV-DUES AND ASSESSMENTS**

Section 1. PAE members shall pay dues as established in the Bylaws and the negotiated contract with the Pasco School District.

Section 2. Non-members will pay agency shop fees as established in the negotiated contract between PAE and the Pasco School District.

Section 3. PAE may levy special assessments on its membership as provided in the Bylaws.

## **ARTICLE V-REPRESENTATIVE ASSEMBLY**

Section 1. The Representative Assembly shall be the legislative and policymaking body of PAE.

Section 2. The Representative Assembly shall consist of the Executive Board and one or more representatives from each school faculty.

Section 3. Members of each school or work location or group shall elect for a term of one year: One (1) Representative Assembly member for each ten (10) members or majority fraction thereof. Of those elected, one (1) shall be named as building coordinator. There shall be at least one representative per work site.

Section 4. Members of the Representative Assembly shall be elected as set forth in the Bylaws.

Section 5. The specific duties of the Representative Assembly shall be provided in the Bylaws.

Section 6. Each member of the Representative Assembly shall attend regular meetings of the Representative Assembly or provide a substitute.

Section 7. A recall election of a building representative shall be held after the receipt of a petition, by the building coordinator or PAE President, bearing signatures of at

least fifty (50) percent of the members electing the representative. The recall election will be held within twenty (20) days of the receipt of the petition and a simple majority of those voting shall be required to ratify recall. Constituents shall have at least forty-eight (48) hours notice prior to vote.

Section 8. Any member of PAE who is not a member of the Representative Assembly may attend its meetings, may speak, but will not have voting privileges.

## **ARTICLE VI-OFFICERS AND AT-LARGE EXECUTIVE BOARD REPRESENTATIVES**

Section 1. The officers of PAE shall consist of a President, a Vice President and a Secretary/Treasurer.

Section 2. Nominations and election of the Officers and at-large Executive Board Representatives will be held, completed and reported to the members no later than January 31<sup>st</sup> of each calendar year. Specific requirements concerning nominations and elections shall be contained in the Bylaws.

Section 3. An officer's term shall be two (2) years, beginning July 15<sup>th</sup>.

Section 4. The term of office for at-large Executive Board Representatives shall be two (2) years beginning July 15<sup>th</sup>.

Section 5. There is no limitation of successive terms for officers or at-large Executive Board Representatives.

Section 6. A member can only hold one Executive Board position at a time.

Section 7. In the event of vacancy in the office of President, the Vice President shall become President for the balance of the term.

Section 8. Except for the office of the President, vacancies on the Executive Board shall be filled as follows: a) if six (6) months or more remain in the term, then by special election; b) if less than six (6) months remain, then by appointment of the Executive Board.

Section 9. The duties of the officers and at-large Executive Board Representatives shall be provided in the Bylaws.

Section 10. An elected officer may be removed from office for cause by a recall election, which may be initiated by the general membership through the petition process. Specific requirements concerning the recall process shall be contained in the Bylaws.

## **ARTICLE VII-EXECUTIVE BOARD**

- Section 1. The Executive Board shall be comprised of the officers and nine (9) members at large: two (2) high school, two (2) middle school, and five (5) elementary; as outlined in the Bylaws.
- Section 2. The immediate Past President shall be an ex officio member of the Executive Board.
- Section 3. The Executive Board shall be the body through which the general administration and executive functions of the Association are carried out.
- Section 4. At-large representatives shall be elected as set forth in the Bylaws.
- Section 5. An at-large representative may be recalled in the same manner that is outlined in the Bylaws.
- Section 6. Except for the office of the President, vacancies on the Executive Board shall be filled as follows: a) if six (6) months or more remain in the term, then by special election; b) if less than six (6) months remain, then by appointment of the Executive Board.

## **ARTICLE VIII-POLICY AUTHORITY**

- Section 1. A majority vote of the membership present and voting at any duly authorized meeting shall determine the policies and actions of the Association except as otherwise provided in the Constitution and Bylaws.

## **ARTICLE IX-PARLIAMENTARY AUTHORITY**

- Section 1. The Sturgis Standard Code of Parliamentary Procedures governs this organization in all parliamentary situations that are not provided for by the law or in its charter.

## ARTICLE X-AMENDMENTS TO THIS CONSTITUTION

- Section 1. Proposals to amend this Constitution may be made by the Constitution and Bylaws Committee, Executive Board, Representative Assembly, or by petition of a simple majority of the general membership. This Constitution shall be amended by a secret ballot of the members. Adoption of the amendment requires agreement by two-thirds of members casting a ballot, provided that notice of this election and the proposed amendments(s) shall have been delivered to each member at least twenty (20) days in advance. Voting, at the discretion of the Constitutions and Bylaws Committee and the Nomination and Elections Committee, may be part of an annual or special meeting or through other established election procedures and may be paper or electronic. Amendments shall become effective immediately unless otherwise provided.

### **Pasco Association of Educators Bylaws**

The Bylaws are the actual rules that govern the Association.  
The Bylaws do not supersede the Constitution.

## ARTICLE I- MEMBERSHIP, DUES, FEES & ASSESSMENTS

- Section 1. Membership of PAE is defined in Article II of the Constitution.
- Section 2. Annual PAE dues shall be recommended by the Executive Board and ratified by the Representative Assembly in the spring prior to June 1<sup>st</sup>. Dues changes will go into effect on September 1 of each school year.
- Section 3. PAE members and agency shop payers shall pay dues/fees not to exceed the amount of .095% of the current year's state allocation base salary. The amount shall be rounded to the nearest dollar.
- Section 4. Special provisions may be made for members of other locals transferring into this local during the membership year.
- Section 5. The annual dues of certificated employees who are employed less than full time shall be assessed according to the following formula:

FULL TIME:	.76-1.0 F.T.E.
2/3 TIME:	.51-.75 F.T.E.
1/2 TIME:	.26-.50 F.T.E.
1/3 TIME	.25 OR LESS

- Section 6. The annual dues of a teacher employed after September 30 shall be the regular dues prorated by the number of months remaining in the school year.
- Section 7. Special assessment may be levied by a simple majority vote of those present at regular or specially called meeting of the general membership. Such meeting shall be announced by written notice to each member in advance of said meeting. The special assessment must include a termination of the special assessment in either dollar amounts or a specific date.

## **ARTICLE II-MEETINGS**

- Section 1. There shall be at least six (6) Executive Board meetings per year. The President shall call all Executive Board meetings with at least three (3) days written notice or by a majority vote of the Executive Board.
- Section 2. The President shall call at least six (6) meetings of the Representative Assembly each year. One Representative Assembly meeting shall be in October for the purpose of adopting the budget. Another shall be in May for the purpose of introducing the new officers and the presentation of the president's report.
- Section 3. General meetings of the membership may be called by the President as required to conduct association business. Special meetings of the membership may be called by the President and or the Executive Board within ten (10) days of receipt of a petition to the President signed by twenty five (25%) of the general membership.
- Section 4. All meetings of the membership, except emergency special meetings (Representative Assembly, Executive Board, General Membership, and Committee), shall be announced by a written or emailed notice to each member at least three (3) days in advance of said meeting.
- Section 5. The Executive Board and/or Representative Assembly by a majority vote may call an emergency meeting of any governance body at any time.
- Section 6. All general membership and Representative Assembly meetings of PAE will be open to general membership.

## **ARTICLE III-DUTIES OF THE REPRESENTATIVE ASSEMBLY**

- Section 1. The duties of the Representative Assembly shall consist of the following:
- a. Establish Association policies and objectives;
  - b. Establish guidelines and hear continuing reports on bargaining;

- c. Adopt the annual budget;
- d. Approve or ratify the establishment of paid positions in the Association; and
- e. Enact such other measures as may be necessary to achieve the goals and objectives of the Association, which are not in conflict with this Constitution and Bylaws.

Section 2. The duties of the Representative Assembly members, under the direction of the building coordinator at each work site, shall consist of the following:

- a. Call meeting of the Association members to discuss Association business within their work site;
- b. Organize and oversee the subsequent elections of Representative Assembly members and the enrollment of new members; and
- c. Maintain two-way Association communication within the building.

## **ARTICLE IV- DUTIES OF THE 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. Appoint and/or discharge standing committee members, and may serve as the ex officio member of all committees or designate someone to do so;
- c. Charge committees with their duties;
- d. The approval of the executive board is required for any designated presidential appointees. Represent, or designate representation where there are conflicted meetings; the Association at meetings with the school district management and other appropriate meetings;
- e. Prepare and submit an annual report of PAE activities to the Representative Assembly at the May Meeting;
- f. Provide reports to the Executive Board and Representative Assembly on those proceedings of the Pasco School Board, UniServ and other groups whose actions are related and of interest to PAE;
- g. Prepare an agenda for Representative Assembly and Executive Board meetings;
- h. Initiate action to implement policy as established by the Representative Assembly with the advice of the Executive Board;
- i. Advise the officers of PAE in the conduct of their office;
- j. Attend UniServ Council meetings as a PAE representative;
- k. Appoint representatives to the UniServ Council
  - i. The President is automatically a UniServ Council Representative;
  - ii. The President appoints two (2) representatives, one of which is the Vice President; and one other
  - iii. The remaining representatives shall be a pool of volunteers.
- l. Oversee the Office Manager in the following tasks:
  - i. the collection, transmittal and disbursement of dues;

- ii. deposit all monies in a bank in the name of PAE;
  - iii. notify PAE of the name of the bank in which dues are deposited;
  - iv. hold all funds and disburse them accordingly upon submission of vouchers approved by the President and/or Executive Board;
  - v. preparation of the books for an audit; and
  - vi. file the appropriate federal and state forms.
- m. appoint a committee of two (2); one (1) Representative Assembly and one (1) from Executive Board; to negotiate with employee(s) of the Association; and
  - n. appoint delegates to the NEA Representative Assembly with the approval of the PAE Representative Assembly, in the event that there are no elected delegates;
  - o. Attend WEA, Regional and NEA Representative Assemblies as a PAE a voting PAE delegate;
  - p. Prepare and submit the annual budget report. Maintain and report budget issues to the Executive board as required.
  - q. Any other duties stated in the job description or as required.

Section 2. The Vice President shall:

- a. Assist the President
- b. Act in the absence of the President;
- c. Attend School Board meetings;
- d. Serve as an ex officio member of a committee when requested by the President

Section 3. The Secretary/Treasurer shall:

- a. Keep accurate minutes of all Executive Board, Representative Assembly, and membership meetings; distribute those minutes;
- b. Cosign checks

## **ARTICLE V- DUTIES OF THE EXECUTIVE BOARD**

Section 1. The Executive Board shall conduct and manage the affairs and business of PAE.

Section 2. The Executive Board shall examine the budget prior to its submission for approval at the October meeting of the Representative Assembly.

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



- Section 4. The Executive Board shall:
- a. Approve the creation of special committees;
  - b. Review the activities of all committees.
  - c. Approve Executive Board members appointed by the President.
- Section 5. Each member of the Executive Board shall be responsible for standing committee.
- Section 6. Each member of the Executive Board shall annually review the number of at-large representative positions and their jurisdiction and shall recommend to the Representative Assembly, at the October meeting, any changes that are necessary to provide representation consistent with the Constitution and Bylaws.
- Section 7. Executive Board shall propose goals and activities for the year and provide leadership on issues in education.

**ARTICLE VI-NOMINATIONS AND ELECTION  
OF REPRESENTATIVE ASSEMBLY MEMBERS,  
OFFICERS, EXECUTIVE BOARD MEMBERS AT-LARGE,  
WEA AND NEA DELEGATES**

- Section 1. Potential members for the Elections Committee shall sign up at the September Representative Assembly. The Nominations and Elections committee will be created no later than the October Representative Assembly. The President, with recommendation from the Executive Board, shall appoint an Elections and Nominations Committee from the potential members list consisting of a minimum of three (3) members who shall complete a slate of candidates. Every effort shall be made to include representatives from the three levels (Elementary, Middle and High School) on the committee. This slate shall be prepared by the December Representative Assembly. Each nominee must be a member in good standing and give his/her consent to appear on the ballot. Members accepting nomination for any executive board position cannot serve on the Nominations and Elections committee and must resign from that committee if already appointed. The President shall seek and appoint a replacement.
- Section 2. In addition to the provisions of Section 1 above, nominations from the floor shall be called for and received at the December Representative Assembly meeting. At the conclusion of that meeting, nominations shall be closed.
- Section 3. The slate of officers shall include candidates for all open PAE offices, at-large Executive Board representatives, and delegates for NEA, Regional and WEA Representative Assemblies. Their constituencies shall elect all officers and Executive Board members.
- Section 4. A member can only run for one Executive Board position per election. If nominated for more than one position he/she may only accept one nomination.

- Section 5. If an Executive Board member runs for another position before their term ends and wins, they must forfeit their current position at the end of the year. If they lose, they retain their current position until the end of their current term.
- Section 6. Members will not be allowed to change the position for which they are running once nominations are closed.
- Section 7. In the event that there is no candidate for a position after nominations close, but prior to ballot distribution, a nominated member may change the office for which they are running with a 2/3 approval of the current executive board.
- Section 8. A. Term of officers shall be staggered. During even numbered years, the office President and Secretary/Treasurer shall be elected. During odd numbered years the office of Vice President shall be elected.
- B. At-large representatives shall be elected by the membership they represent: two (2) high school; two (2) middle school; five (5) elementary.
- a. Term of office for at-large Executive Board representatives shall be for two (2) years and commence on July 15.
  - b. The terms shall be staggered. During odd numbered years, high school representative #1, middle school representative #1, and elementary representative #1, #3 and #5 shall be elected. During even numbered years, high school representative #2, middle school representative #2, and elementary representative #2 and #4 shall be elected.
  - c. A vacancy in the position of at-large representatives shall be filled by a special election of those members affected by the vacancy within thirty (30) days. If unable to find a candidate, executive board can appoint a replacement.
  - d. No building shall have more than 1 at large representative.

Section 9.

A Timeline

1. Nominations will open at the November Representative Assembly and will close at the end of the December Representative Assembly.
2. Biographies will be due to the PAE office manager two school days after the close of nominations by 4:30 pm.
3. A candidate forum will be held within 5 school days of the close of nominations.
4. Electronic ballots, shall be distributed within 7 school days of the close of nominations.

5. Voting shall close 7 school days after distribution of ballots at 4 pm.
6. Election results shall be validated and reported within 7 school days of the close of voting. Separate ballots shall be prepared for each level.

B Process

1. Campaign materials may be placed in district mail boxes. All campaign materials must be produced off site using personal resources.
2. Campaign materials can be distributed up to the day of ballot distribution.
3. No campaign communication, either electronic or paper, shall be distributed using district or WEA resources.
4. A statement of no more than 200 words may be submitted for the ballot.
5. The order of the candidates will appear on the ballot in alphabetical order, by last name
6. Any person violating election procedures will be automatically disqualified for the current election.

Section 10. To win, a candidate must receive a simple 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 11. The election of WEA and NEA Representative Assembly voting Delegates shall follow the election procedures outlined by WEA and NEA. These delegates shall be elected at-large. Election as PAE President shall constitute election to the WEA, Regional and NEA Representative Assemblies. With the exception of the President, election to serve as NEA Delegate shall be limited to two (2) consecutive years, after which one (1) year must pass before member may be nominated again.

Section 12. The Nominations and Elections Committee shall validate the count of votes and results of all elections.

Section 13. The Nominations and Elections Committee or an appointee shall verify that all votes are cast by members in good standing. Any unverifiable votes or votes by members whom are not in good standing will be invalid.

Section 14. In the event of a tie, a special election between the tied candidates will be run to determine a winner. In the event of a second tie, a coin will be flipped to determine the winner with affected candidates present, officiated by the Nominations and Elections Committee.

Section 15. A majority of the members at each work site shall determine how building representatives will be elected. Building representatives must be elected prior to the first Representative Assembly meeting of each school year.

Section 16 .The process of removing an elected officer is as follows:

- a. A recall election shall be held after the receipt of a petition bearing the signatures of a simple majority of the general membership.
- b. A general membership meeting will be scheduled prior to the recall petition. Immediately following the general membership meeting, the recall election shall be by secret ballot of the entire membership. Of members voting, a simple majority must be in favor of recall.
- c. The Executive Board shall notify, in writing, any officer who has been recommended for recall.
- d. A general membership meeting will be scheduled for the recall election within thirty (30) days after receipt of the recall petition.

## **ARTICLE VII-COMMITTEES**

Section 1. Standing committees are authorized by the Bylaws. The Executive Board and/or Representative Assembly may establish special committees. The President shall appoint committee members. Standing committee members shall serve until June of the year for which they are appointed or until discharged by the President. Special committee members shall serve until the Executive Board or Representative Assembly dissolves their committee.

Section 2. Standing committees shall include, but shall not be limited to:

- a. Bargaining Committee
- b. Grievance Committee
- c. Nominations and Elections Committee
- d. Scholarship Committee
- e. Constitution and Bylaws Committee
- f. Political Action Committee
- g. Community Connection Committee

Section 3. Minutes of the proceedings of each committee shall be filed with the Office Manager of the Association. The Office Manager shall provide copies of the minutes of standing committees to the committee chairpersons for the ensuing year. All Committees shall report to the membership as directed by the President and/or the Executive Board.

## **ARTICLE VIII-MEMBERSHIP AND FISCAL YEAR**

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

## **ARTICLE IX-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 only after completion of the following procedures at a general membership meeting;
- a. A report and recommendation by the Bargaining Team to the Executive Board;
  - b. A report by the bargaining team to the general membership at a ratification meeting including the recommendation of the Executive Board to ratify or not ratify;
  - c. A written digest of the proposed agreement or charges provided to all members in attendance at the ratification meeting;
  - d. Discussion by the membership;
  - e. A majority affirmative vote, by secret ballot of the total active membership present and voting;
  - f. At least twenty-four (24) hours written notice of the ratification meeting is required. The notice shall specify the time, place, and purpose of the meeting.
- Section 2. Ratification of amendments to the collective bargaining agreement shall occur at a general membership meeting. The collective bargaining agreement shall be amended by a secret ballot of the members. Adoption of the amendment requires agreement by two-thirds of members casting a ballot.
- Section 3. Strike action must be authorized at a general membership meeting. Strike shall be authorized by a secret ballot of the members. Authorization requires agreement by two-thirds of members casting a ballot.

## **ARTICLE X-QUORUM**

- Section 1. A quorum at any duly authorized meeting of the Executive Board shall consist of fifty (50) percent of the elected members.
- Section 2. A quorum at Representative Assembly meetings shall consist of forty (40) percent of the elected members.
- Section 3. At a general membership meeting, when a written notice was delivered by paper or electronically to the member at least five (5) days prior to the meeting, a quorum shall consist of those present and voting. The written notice will contain an agenda with action items identified as such. If one-third (1/3) of the membership is not at such a

meeting, no action items can be added to the agenda. If no written notice was given of the meeting, a quorum shall consist of one-third (1/3) of the total PAE membership.

Section 4. When notification has been given, those present at any committee's meeting (standing committees, ad-hoc committees, task forces) shall constitute a quorum.

## **ARTICLE XI-AMENDMENTS OF BYLAWS**

Section 1. Proposed amendment to the Bylaws may be made by the Constitution and Bylaws Committee, Executive Board, the Representative Assembly, and/or the general membership. These Bylaws shall be amended by a simple majority vote of the general membership by a secret ballot of the members. Adoption of the amendment requires agreement by two-thirds of members casting a ballot, provided notice of this election and the proposed amendment(s) shall have been delivered to each member at least fifteen (15) days in advance. Amendments shall become effective immediately upon adoption, unless otherwise provided.

- a. All proposed amendments shall be reviewed by the Constitution and Bylaws committee prior to notice of election and the proposed amendment(s) being delivered.

Revised: 1980, April 1988; June 1991; April 2000; March 2003; October 2010, November 2013, January 2014