

Winchester Education Association

By-Laws- 1978

Updated 2002

Article I. Rules of Order

Robert's "Rules of Order Revised" shall be the parliamentary authority on all questions of procedure not specifically stated in this constitution and By-Laws.

Article II. Meetings

Section 1. Representative Council

- a. The Representative Council shall meet at least once a month during the school year. At the September meeting, called by the president, the Council shall schedule its meetings for the rest of the school year. If school is not in session on the above day, the meeting shall be considered postponed to one week from the original date. If school is not in session on that date the meeting will continue to be postponed until it can be held on a day that school is in session. The Executive Board shall prepare the agenda for each regular meeting and shall have it circulated to all members of the Council three (3) school days in advance of the meeting so that Representatives will have time to post the agenda and discuss it with faculty members in advance of the meeting.
- b. A special meeting shall be held at the call of the President, or at the request of five (5) members of the Council. Business to come before the special meeting must be stated in the call.

Section 2. General Membership Meetings

- a. The President and/or the Representative Council shall arrange meetings of the members each year for discussion of professional issues.
- b. The Representative Council shall draft an agenda and issue it to the general membership at least five (5) days in advance of the general meeting.
- c. Any proposal, which will require a vote of the general membership, shall be submitted to the Representative Council in writing for the purpose of being placed on the agenda.
- d. A General Membership Meeting must be held at the written request of twenty (20) active members of the Association. The request, with the proposed agenda, shall be submitted to the Representative Council, which shall then call the General Membership Meeting within two (2)

Winchester Education Association
By-Laws- 1978
Updated 2002

school weeks. The twenty (20) active members submitting the request must include at least three (3) members from at least four (4) different schools.

Section 3. Contract Ratification Meeting

The following rules shall govern the proceedings of the meeting of a bargaining unit for the purpose of ratifying any part or whole of an Agreement between the Winchester School Committee and the Winchester Education Association.

- a. Voting on the Agreement may commence at this meeting after the following:
 1. The Negotiations Team shall present the proposals to the members present and answer any questions of clarification.
 2. If the spokesperson for a group of members in good standing wishes to present an opposition report, he/she shall be allowed a maximum of fifteen (15) minutes to present the report, provided the group has submitted a request in writing, to the Representative Council or President prior to the meeting so as to be placed on the agenda. There shall be only one spokesperson allowed to report at the meeting.
 3. Polls will open and general debate will commence at the conclusion of parts (1) and/or (2).
- b. General Debate
 1. When general debate is opened, all members present and wishing to speak to the issue, must be given a chance to do so at least once, for a time period of three (3) minutes.
 2. Any member wishing to speak shall stand and identify him/herself by name and school for the purpose of being recorded by the secretary as having spoken at least once to the issue.
 3. Raising a "point of order" or other privileged motion shall not be considered as speaking to the issue.
- c. All such Agreements shall be ratified by a secret ballot, by a majority vote of the active members present and voting.

Winchester Education Association
By-Laws- 1978
Updated 2002

Section 4.

The President and the Representative Council may appoint a qualified person to serve as Parliamentarian at any General Membership Meeting. A Parliamentarian must agree to give up his right to vote on any issues discussed at the meeting.

Article III. Quorum

Section 1. Representative Council

A majority of their members shall be a quorum for the Representative Council.

Section 2. General Membership Meetings

Twenty percent (20%) of the members shall constitute a quorum for the transaction of the business of the Association at a membership meeting.

Section 3. Committee Meetings

A majority of their members shall be a quorum for all meetings.

Article IV. Powers of Officers

Section 1. President

The President shall preside over meetings of the Representative Council, appoint the chairpersons and members of standing committees, appoint special committees, be an ex officio, a member of all standing and special committees, and shall be the executive officer of the Association. The President or his/her designee, shall be a member of the Collective Negotiating Team. The President may appoint a corresponding secretary. The President 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 not chair or co-chair any committees.

Section 2. Vice President

The Vice President of the Association shall perform the functions usually attributed to the office. He/she shall work closely with one or more standing committees as the President may suggest. And shall be ex officio, a member of all standing and special committees. He/she shall become President if the presidency becomes vacant except as provided in Article

Winchester Education Association
By-Laws- 1978
Updated 2002

V, Section 3 of the Constitution. The Vice President shall not chair or co-chair any committees.

Section 3. Immediate Past President

The Immediate Past President is the person who served as the President of the Association during the previous term of office. He/she shall advise the Representative Council, assist the officers of the Association, and have voting privileges in Representative Council meetings. This office does not exist if the President succeeded him/herself into office.

Section 4. Secretary

This Secretary shall keep accurate minutes of Representative Council, General Membership, and Executive Board meetings, and maintain official up-to-date files of same. The Secretary shall also send agenda for upcoming meetings and minutes of the previous meetings to the respective members of each group, at least three (3) days before the next scheduled meeting. Minutes of all Representative Council and General Membership Meetings must be issued to all members in good standing within two (2) school weeks of the meeting. The Secretary shall also assist the President with his official correspondence.

Section 5. Treasurer

The Treasurer shall hold the funds of the Association and disburse them upon authorization by the Representative Council. The Treasurer shall receive the payroll deduction forms for new members, and checks from the Membership Chairperson for annual dues, and shall notify the Superintendent's office, who in turn, notifies the Town Treasurer for payroll deductions. The Treasurer shall transmit amounts due to the Massachusetts Teachers Association and the National Education Association. He/she shall maintain a roll of the members. He/she shall keep accurate amounts of receipts and disbursements, shall report to each meeting of the Representative Council, and shall prepare an annual financial statement for publication to members as directed by the Representative Council. He/she shall assist the Budget Committee in the drafting of the annual budget. He/she shall complete and file all required state and federal forms.

Section 6. Terms of Succession

- a. The officers shall serve for one year and may be re-elected without any intervening terms.

Winchester Education Association
By-Laws- 1978
Updated 2002

- b. Whenever the offices of both President and Vice President become vacant between elections, except as provided in Article V, Section 3, the remaining 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.

Article V. Power of the Representative Council

Section 1.

The Representative Council shall be responsible for the management of the Association, approve all expenditures, carry out policies established by the Association and report its transactions, except those of executive sessions, to the members.

Section 2.

The Representative Council shall represent the Association in negotiating salaries, hours and working conditions with the governing and appropriate bodies of the school system. The Representative Council may delegate the power to negotiate to another committee or representative. This power is defined by the guidelines that are set by the Representative Council.

At the conclusion of negotiations between the Winchester School Committee and the WEA Negotiating Team, the proposed Agreement will be presented, in writing, to the Representative Council, who shall vote an advisory statement on the proposed Agreement and publish it to the General Membership. The vote shall be a roll call vote.

The Negotiating Team shall then present the proposed Agreement to the General Membership of the bargaining unit in accordance with Article II of this Constitution.

Section 3.

The Representative Council shall approve the budget, set the dues for the Association, act on reports of committees, approve resolutions and other policy statements with the exception of those mentioned in Article V, Section 2 of the By-Laws, and shall adopt procedures for implementing the Code of Ethics of the Education Profession and those to be followed in censuring, suspending, and expelling members for cause or for reinstating members. The Representative Council shall ratify by a two-thirds (2/3) vote of the entire Representative Council, all appointments made by the President. It may adopt such rules governing the employment of staff, the

Winchester Education Association
By-Laws- 1978
Updated 2002

conduct of the Association, and the conduct of meetings as are consistent with this Constitution and By-Laws.

Article VI. Council Representatives

Section 1.

Staff persons who are members, in good standing of this Association, shall elect, for a term of one (1) year, one (1) representative to the Representative Council for each twenty (20) staff persons or fraction thereof, in the groups as listed in the W.E.A. Constitution, Article V, Section 1.

Elections shall be held during the third week of September. Representatives shall take their seats at the next meeting of the Representative Council.

Section 2.

Representatives shall attend the regular meetings of the Representative Council unless they notify the President of their reasons(s) for not attending. After two (2) absences of a Representative, the President may declare the seat unfilled and call for an election to fill out the term. The President may designate a member in good standing, to organize this special election.

Section 3.

The Representative shall call meetings of the Association members to discuss Association business, shall appoint such committees as the Association may require and shall carry out two-way communication within the building.

Article VII. Committees

Section 1. Structure

There shall be the following committees, having the specific functions outlined as follows:

- a. They shall have at least three (3) members selected to represent the Association.

Winchester Education Association
By-Laws- 1978
Updated 2002

- b. Each committee, with the approval of the Representative Council, may organize from the membership of the Association, special committees and task forces for specific activities.

Section 2. Meetings

Each standing committee shall meet regularly according to a calendar developed by the Representative Council and may hold special meetings at the call of the Chairperson.

Section 3. Reports

Each committee shall choose a secretary who shall keep a continuing record of activities. The Chairperson shall report, as necessary, to the Representative Council and shall prepare an annual report (written) summarizing objectives, action programs, gains, and unfulfilled goals, which the Representative Council shall distribute to the members and which shall become a part of the continuing committee record in the Association files.

Section 4. Titles and Duties

a. Negotiating Teams

1. Shall, in accordance with Article V, Section 2 of these By-Laws, negotiate with the School Committee in accordance with the prevailing state and federal statutes.
2. Within the guidelines set up by the Representative Council, it shall prepare proposals to be endorsed by the Representative Council prior to being placed before the School Committee.
3. Upon reaching tentative agreement on all matters under negotiation, the team shall prepare and submit its report and recommendations according to the procedures stated in Article II, Section 3 and Article V, Section 2 of the By-Laws.

b. Grievance Committee

The Grievance Committee shall explore and prepare action programs for securing satisfactory personnel policies and procedures for the redress of grievances. It shall be reasonable for processing all grievances filed by members of the various bargaining units.

Winchester Education Association
By-Laws- 1978
Updated 2002

c. Public Relations Committee

The Public Relations Committee shall seek to develop public understanding of the purposes and programs of the Association, the values and importance of education; and, in cooperation with the administration, the educational philosophy and programs of the schools. It shall develop procedures by which the Association can work cooperatively with parents and the public civic, fraternal, and social organizations, and through all available channels of communication. It shall be responsible for the publication of the WEA Newsletter to the General Membership.

d. Ethics Committee

1. Shall develop a program of orientation to the Code of Ethics of the Education Profession, as approved by the NEA.
2. It shall advise the general membership on implementation procedures for the Code of Ethics.
3. It shall make recommendations to the Representative Council in cases of censure, suspension or expulsion of members.

e. Social Affairs Committee

The Social Affairs Committee shall organized and oversee the following committees:

1. Social Affairs- to organize such social activities as may serve the needs of members and promote fellowship within the Association.
2. Gifts and Flowers- to convey expressions of sympathy, appreciation, and/or congratulations to members of the Association on appropriate occasions.

f. Political Education Committee

The Political Education Committee shall have broad concern for local, state, and federal legislation affecting the interests of the Association and for the exercise of civic responsibilities by members. The Committee shall be diligent to inform members about newly enacted legislation.

Winchester Education Association
By-Laws- 1978
Updated 2002

Section 5.

Relation to Representative Council- The President shall appoint members to the standing committees. The Representative Council shall approve the President's appointments of members to the standing committees and to fill all unexpired terms as vacancies occur and shall plan for an organizational committee conference each year. It shall require and assist committees to define their immediate and long-range objectives. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees.

Section 6.

Each year, the President shall appoint an Election Committee, and Audit Committee, a Budget Committee, and such other special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Council. No officer of the Association shall serve on either the Election Committee or the Audit Committee.

Article VIII. Elections

Section 1. Nominations

- a. The active members of the Association in each building, during the month of February, may nominate candidates for President, Vice President, Secretary, and Treasurer. All nominees shall be active members of the Association and shall maintain their membership in good standing, during their term of service. The Representatives shall deliver all nominations in writing, to the Committee on Elections.
- b. The Committee on Elections shall report all nominations to the Representative Council at the March meeting. Members of the Representative Council may nominate other candidates from the floor.
- c. The Committee on Elections shall publish to the members, brief information sheets on each candidate.

Section 2. Balloting

On the second full school week of April, members shall vote on the appointed day, for officers, by ballot, in accordance with procedures developed by the Committee on Elections and approved by the Representative Council. The Committee on Elections shall report results to the President. In cases where the vote for any officer is not a majority

Winchester Education Association
By-Laws- 1978
Updated 2002

of the membership voting, the President shall call a special meeting of the Representative Council. The Representative Council shall establish a second date for balloting to determine the majority candidate. Only the two candidates for the same office, who receive the highest number of votes, will be placed on the new ballot. Voting shall occur within ten (10) school days but no sooner than five (5) days following the written notification. The Committee on Elections shall report the final results to the President, who shall cause them to be published. New officers shall be installed at the June meeting of the Representative Council.

A member, in good standing, shall be appointed by the President to run the nomination and election of Representative Council members within each group as listed in Article V of the WEA Constitution. The election shall be held no later than the third week in September.

Article IX. Amendments

Any proposed amendment to these By-Laws may be submitted at any business meeting of the Association. Such proposed amendments must be submitted in writing and signed by ten (10) members of the Association. The Secretary shall read aloud the amendment and shall issue notice of it after the meeting. After such notice, it shall be voted upon at the next regular or called business meeting of the Association and shall become part of the By-Laws, if approved by a two-thirds (2/3) majority of the members voting at said time of meeting. Written proxies will be allowed when submitted by Faculty Representative of the member so voting, who shall submit a list of people so voting to the Membership Chairperson for verification of membership. They are to be placed in a sealed envelope and unsigned. The amendment must be printed on the ballot with the vote.