

Below are the Proposed Changes to the By-Laws of the Kent Education Association
Following the proposed changes is an explanation of the changes.

The KEA Executive Board Unanimously Recommended “Do Pass” for these proposed changes.

Proposed By-Laws were prepared by the KEA Constitution and By-Law Committee

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BY-LAWS OF THE KENT EDUCATION ASSOCIATION

Article I Membership and Dues

- Section 1 Membership dues shall be 0.00975 of the Step Zero (0), BA + 0 cell of the Total teachers' salary schedule of the previous year, payable to the Association with the annual dues of the WEA and NEA. There shall be no exception to the unified membership plan.
- Section 2 Guest teacher dues shall be one-third (1/3) of the annual KEA dues, payable to the Association with the annual dues for associate/substitute membership in the WEA and the NEA. There shall be no exception to the unified membership plan.
- Section 3 If errors in membership dues payment occur, the Association shall reimburse overpaid dues to the member for up to two (2) years (the current school year and one year immediately preceding).
- Section 4
- A. Membership shall be in effect:
 - a. Continuously for members on automatic payroll authorization or
 - b. Upon payment of yearly dues by September 30th.
 - B. Guest Teacher memberships shall be in effect upon payment of annual dues to the Association.

Article II ~~Elections~~ Nominations and Elections of Officers, Executive Board members and WEA/NEA Rep Assembly Delegates

- Section 1
- A. The KEA Election Commission is the authorizing authority to run all KEA elections
 - B. Nominations for officers and delegates shall be opened at a Representative Council meeting at least thirty (30) days prior to an election by the general membership and shall remain open for fifteen (15) days. Any member may make a nomination during the open period
 - C. To win, a candidate must receive a plurality of the votes cast. For Assembly Delegates winners will be chosen by most votes until all seats are filled. In the event of a tie, a run-off election within fifteen (15) days between the two (2) candidates receiving the most votes. In case there is still a tie winner will be determined by years in KEA, if still tied then by a coin flip.
- Section 2
- A. Elections of officers and delegates shall be held prior to May 1. Officer terms begin at gavel down of that year's NEA Representative Assembly.
 - B. Elections of delegates shall be in accordance with WEA and NEA election timelines for the respective Representative Assemblies.
 - C. Elections by the general membership shall be by secret paper or

electronic ballot. Voting shall be by ballots distributed in a manner prescribed by the Elections Commission ~~Committee~~ and approved by the Representative Council.

Section 3

- A. Vacancies in elective office Officers and Executive Board Members, except the office of President, shall be filled according to the standard procedure for that office election by the general membership ~~except that the~~ in a special election. For Officers to be held within thirty (30) school days of the vacancy and for Executive Board Members within two (2) meetings of the Representative Council.
- B. Members of the Executive Board may be recalled by a two-thirds (2/3) vote of the Representative Council.
- C. Per the Constitution, any officer may be recalled by a two-thirds (2/3) majority of the general membership voting. Such action must be initiated by a petition signed by five (5) percent of the general membership. The petition must be initiated by a KEA member in good standing.

Section 4

- A. The Representative Council or its designee shall provide uniform rules and procedures to ~~insure~~ ensure that delegates and successor delegates are selected in compliance with the Constitution and Bylaws of the WEA and the NEA.
- B. The WEA Representative Assembly delegation shall include the President, Vice-President, Secretary-Treasurer, and at-large delegate positions.
- C. The NEA Representative Assembly delegation shall include the President, Vice-President, Secretary-Treasurer, and at-large delegate positions.

Article III Nomination and Election of Building Representatives

Section 1

- A. Building or Unit Representatives shall be elected for two (2) year terms in May on a ratio of one (1) for every ~~twenty-five (25)~~ twenty (20) members or major fraction thereof except that each school shall have at least one (1) representative. For only the purpose of counting the number of members in a building, a unit, or special interest group, each member shall be counted at the same rate (one third (1/3), one-half (1/2), or full) as the member pays annual KEA dues.
- B. Each building or unit may elect one (1) alternate representative who will be a full voting member of the Representative Council in the absence of the regular representative.
- C. Members who travel from building to building, serve in more than one (1) building, or who are not assigned to a specific building, may select the building in which they will be represented.

- D. Members other than classroom teachers may elect to be represented by a special interest group rather than the building. Anyone who does not spend at least half (1/2)-time in one (1) school building may choose to be represented by a special interest group. Special interest groups must have at least thirteen (13) members. Such choices must be certified in writing to the President at the time the representatives are elected. Those teachers will remain with that special group for entirety of the next school year. Members represented by a special interest group are no longer counted towards building numbers when calculating representation for each building.
- E. As new buildings or units are added, the terms of the representatives for these additions shall be such that approximately one-half (1/2) of the total number of building representatives shall be elected annually.
- F. Any Building or Unit Representative may be recalled by a two-thirds (2/3) vote of the electing body.

Article-III IV Duties of Officers

Section 1 The President of the Kent Education Association, elected by the membership-at-large, shall chair the Representative Council and the Executive Board.

As Chief Executive Officer of the Association, the President shall:

1. Set the written agenda for the Executive Board and in conjunction with the Executive Board establish the agenda for the Representative Council;
2. Chair all official meetings and perform such duties as are customarily associated with the office. The President can delegate some or all of that function to another officer or Executive Board member as a designee.
3. Appoint Chairpersons and members of committees and commissions and fill vacancies with the approval of the Executive Board;
4. Make expenditures authorized by the Association consistent with the KEA Constitution and Bylaws, the adopted budget, or other action of the Representative Council;
5. Act as the principal Association spokesperson, or delegate that function, subject to the limits of the Constitution, Bylaws, and Policy;
6. Be an ex-officio member of all committees and commissions;
7. Serve as a delegate to affiliate assemblies;

8. Review and resubmit annually all Association Policies to Representative Council by the first Representative Council meeting in November;
9. Expected to be a member of WEA-PAC and NEA-FCPE.
10. Give direction to the Uniserv Representative and Staff.
11. Be a signatory on KEA accounts.
12. President casts tie breaking votes in any body that they chair.

13. President or their designee to be responsible for putting regular communication to members about union matters, either paper or electronic, ideally at least bi-monthly.

Section 2

The Vice-President of the Kent Education Association shall:

1. Assist the President when requested in the performance of her/his duties;
2. Perform the duties of the President in her/his absence or incapacitation;
3. Assume other duties as may be assigned by any one of the governance bodies;
4. Be a voting member of the Executive Board and Representative Council;
5. Serve as a delegate to affiliate assemblies; and
6. Expected to be a member of WEA-PAC and NEA-FCPE.
7. Perform all other duties usually attributed to the office of Vice-President.
8. Be a signatory on KEA accounts.

Section 3

The secretary/treasurer of the Kent Education Association shall:

1. Assist the President and Vice-President when requested in the performance of their duties;
2. Be a voting member of the Executive Board and Representative Council;
3. Record the minutes of the meetings of the Executive Board, the Representative Council, and of Association general meetings;
4. Serve as a delegate to affiliate assemblies;
5. Assume other secretarial duties as may be assigned by any one of the governance bodies; and

6. Expected to be a member of WEA-PAC and NEA-FCPE.
7. Present preliminary budget to Representative Council by June 15 for the ensuing year and the final budget to Representative Council by November 1, according to the KEA Constitution, Article VIII, Section 2.
8. Be a signatory on KEA accounts.
9. Help oversee KEA Staff with issues concerning Budget and Document records and help prepare Budget Reports to be presented to the Representative Council and Executive Board in accordance to the KEA Constitution (Article VIII), By-Laws and Policies.

Article IV Executive Board

- Section 1 The Executive Board shall be responsible for the management of the Association, approve all expenditures, carry out policies established by the Representative Council, report its transactions and those of the Council to the members, approve contract waivers, and suggest policies for consideration by the Council.
- Section 2 The Executive Board shall ~~develop~~ help approve workshops and training conferences for all representatives.
- Section 3 Memorandums of Understanding (MOU)
- A. MOUs that only effect 10 or less members can be signed without review by the President but executive board will need to be informed at the next exec board meeting.
 - B. MOUs that effect 10 members or more must be shared with the exec board prior to signing by the President. Emergency Exec board meetings may be called for this purpose.
 - C. The President and/or the Exec board has option to present MOUs to a General Membership Meeting for an advisory vote prior to signing.
 - D. Copies of MOUs will be distributed to all affected members and published as needed.
 - E. MOUs can be resigned for subsequent years if no effected members objects. If there is an objection then executive board can approve resigning after discussion.
- Section 4
- A. Executive Board members elected by the Representative Council shall be elected for a two (2) year term and shall take office at the same time as Association officers.
 - ~~B. Vacancies in these positions shall be filled within two (2) meetings of the Representative Council.~~

~~C. Members of the Executive Board may be recalled by a two-thirds (2/3) vote of the Representative Council.~~

Section 5

- A. The President may invite up to three (3) non-voting members to attend the executive board meetings as needed for subject specific issues.
- B. The President shall appoint a non-voting educator of color-at-large position to executive board. Other non-voting specialized positions may be appointed by and serve at the pleasure of the President.
- C. At the request of the current President, the immediate past President can serve as a non-voting advisory member of the Executive Board. In the event that the current president has been in office for more than one term, the past President position shall be vacant.

Article VI Representative Council and Building Representatives

Section 1

- A. The Representative Council is the legislative and policy making authority of the Association.
- B. The Duties of the Representative Council are:
 - a. Adopt the annual budget;
 - b. Approve the establishment of paid positions in the Association;
 - c. Adopt rules and agenda for its meetings;
 - d. Enact other measures as may be necessary to achieve the goals and objectives of the Association not in conflict with the Constitution and the Bylaws; and
 - e. Approve any amendments to the constitution and bylaws to go before the General Membership for a vote.

Section 2

- A. A parliamentarian shall be appointed by the President. The parliamentary authority for the KEA shall be in accordance with the practices of the Washington Education Association.
- B. Representative Council shall meet at least monthly while school is in session, according to a calendar established yearly. Meetings shall begin at 4:00 P.M. and not continue beyond 5:30 6:00 P.M. except with approval of two-thirds (2/3) of those present and voting.
- C. The final Annual Budget will be reviewed by Representative Council for consideration no less than ten (10) days prior to adoption. Adoption is to occur by November 1, according to the KEA Constitution, Article VIII, Section 2.
- D. Copies of the minutes of each Council meeting shall be provided upon request to each building representative to be made available to members.

Section 3 The duties of Building Representatives shall include:

1. Attend Representative Council Meetings.
2. Communicate with all of the members in your building/specialty.
3. Represent members within the building/specialty. ~~If you are unsure or~~
4. Welcome new employees in the building.
5. Conduct local association elections if needed.
6. Oversee membership.
7. Encourage involvement in KEA and/or WEA.
8. Serve as initial grievance representatives for their worksites;
9. Maintain two-way Association communication within the work site/group

Section 4 Building Representatives and Executive Board Stipend

- A. At the end of each school year, building representatives and Executive board members will receive a stipend for the work that they do for the Association. This stipend, will be proposed by the Executive Board and approved by the Representative Council, pending approval of the that year's budget. The total payment Reps receive would be calculated by multiplying the total stipend amount by the number of assemblies attended and dividing this product by the total number of monthly representative assemblies held during the school year (not counting any emergency meetings). In order to qualify for this stipend for a Representative Council, a Building Representative/Exec board member would have to sign in on the official sign-in sheet and attend the major part of the Representative Council Building Representative's would have to attend 5 Representative Council's in order to be eligible. Alternate can attend less than 5 meetings and still be eligible if their attendance is as a replacement for the building rep. The stipend will be paid no later then the start of the next school year.

Article VI Delegates

~~Section 1~~ ~~The Representative Council or its designee shall provide uniform rules and procedures to insure that delegates and successor delegates are selected in compliance with the Constitution and Bylaws of the WEA and the NEA.~~

~~Section 2~~ ~~The WEA Representative Assembly delegation shall include the President, Vice President, Secretary Treasurer, and at large delegate positions.~~

~~Section 3~~ ~~The NEA Representative Assembly delegation shall include the President, Vice President, Secretary Treasurer, and at large delegate positions.~~

Article VII Building or Unit Representatives

Section 1

- ~~A. Building or Unit Representatives shall be elected for two (2) year terms in May on a ratio of one (1) for every twenty five (25) members or major fraction thereof except that each school shall have at least one (1) representative. For only the purpose of counting the number of members in a building, a unit, or special interest group, each member shall be counted at the same rate (one third (1/3), one half (1/2), or full) as the member pays annual KEA dues.~~
- ~~B. Each building or unit may elect one (1) alternate representative who will be a full voting member of the Representative Council in the absence of the regular representative.~~
- ~~C. Members who travel from building to building, serve in more than one (1) building, or who are not assigned to a specific building, may select the building in which they will be represented.~~
- ~~D. Members other than classroom teachers may elect to be represented by a special interest group rather than the building. Anyone who does not spend at least half (1/2) time in one (1) school building may choose to be represented by a special interest group. Special interest groups must have at least thirteen (13) members. Such choices must be certified in writing to the President at the time the representatives are elected.~~
- ~~E. As new buildings or units are added, the terms of the representatives for these additions shall be such that approximately one half (1/2) of the total number of building representatives shall be elected annually.~~

Section 2

~~Any Building or Unit Representative may be recalled by a two thirds (2/3) vote of the electing body.~~

Article VIII Commissions

Section 1

The following commissions have been established:

- A. **Bargaining Commission:** The purpose of the Bargaining Commission shall be to conduct and supervise all collective bargaining for the Association as directed by the Representative Council.
- B. **Grievance Commission:** The purpose of the Grievance Commission shall be to:
- Assist members of the Association in obtaining the full protection of the Collective Bargaining Agreement through the grievance procedure.
 - Develop and maintain a program for training building grievance representatives.
 - Follow due process procedures in making recommendations on grievances considered for arbitration.
 - Consider grievances, the nature of which must be in writing, and to hold informal meetings with the grievant.

- e. Submit a written report to the KEA Executive Board with recommendations on action to be taken.

- C. **Election Commission:** The purpose of the Election Commission shall be to:
 - a. Conduct and supervise all elections for the Association
 - b. Develop and present to the Representative Council for approval by the January Rep Council meeting a Campaign and Election Regulations document that describes election and campaign requirements for all elections for that year and in compliance with the Constitution and Bylaws of the WEA and the NEA and all relevant Washington State and Federal laws.
 - c. After approval the Campaign and Election Regulations will be made public and a copy provided to all candidates after the close of nominations.

Section 2

Commission Members

- A. The Bargaining Commission shall consist of at least nine (9) members. President shall make every reasonable effort to balance the commission members for elementary and secondary members. with no more than five (5) elementary teachers and no more than five (5) secondary teachers serving on the commission at the same time.
- B. ~~Members of all other commissions~~ The Grievance Commission and Elections Commission shall consist of elementary and secondary members. seven (7) members with no more than four (4) elementary teachers and no more than four (4) secondary teachers serving on a commission at the same time.
- C. All commission members shall represent the entire membership. Commissions shall meet at the request of the President, commission chairperson, or a majority of the commission members.
- D. Commission members shall be appointed by the president and approved by the Representative Council and serve at the pleasure of the president. and shall assume office in September. At least one (1) new member shall be appointed by the president to the Bargaining and Grievance Commission each full contract opener. All terms shall be for three (3) years, with one third (1/3) of the commission membership changing each year. Any commission member absent for more than two (2) consecutive meetings without notifying the chairperson will be dropped and the position filled according to vacancy procedures.
- E. Vacancies in commissions shall be filled by appointment by the President and approved by the Representative Council at the first Council meeting following the creation of the vacancy, and new members take office immediately.
- F. Commission chairpersons shall be appointed by the President.

Article IX Committees

- Section 1 Committees shall be appointed as needed. Committees shall include, but not be limited to: Constitution and Bylaws, ~~Elections~~, Legislative, Member Services, Nominations, Public Relations and Publications, and Recognition. Committee chairpersons shall be appointed by the President.

Article X Quorum

- Section 1 A quorum of a general meeting shall consist of one-fifth (1/5) of the members or the members present if forty-eight (48) hours written notification of the agenda has been given to the membership.
- Section 2 A quorum of the Representative Council or any committee shall consist of a majority of its members.

Article XI Amendments

- Section 1 Amendments to these bylaws shall be adopted by a majority of the voting members of the Association. Amendments shall be proposed by a vote of the Representative Council or by petition of five (5) percent of the general membership. The petition for amendment must be acted upon by the membership within thirty (30) school days of submission.
- Section 2 The Representative Council is authorized to make the following non-substantive housekeeping changes in these bylaws:
- A. Change grammar or syntax that improves readability without altering meaning or intent.
 - B. Rename Article titles when appropriate.
 - C. Renumber Articles or Sections when appropriate.
 - D. Delete language rendered obsolete by amendment.

Adopted March 20, 1969.

Amended April 23, 1970; October 27, 1970; March 24, 1972; May 24, 1972; May 30, 1973; May 21, 1974; March 10, 1975; March 5, 1976; May 23, 1977; January 30, 1978; February 23, 1978;

February 1, 1980; January 19, 1983; April 15, 1985; March 6, 1987; March 4, 1988; March 4, 1992; February 19, 1994; May 21, 2008; October 13, 2011; and April 3, 2019.

Explanation of Proposed Changes to KEA By-Laws 2020-21

Article I:

No Change

Article II:

Title: Changed to “Nominations and Elections of Officers, Executive Board Members and WEA/NEA Representative Assembly Delegates” because we consolidated all the key election languages for these positions into one section

Section 1.A: Added to clarify who runs elections for the Association.

Section 1.C: Clarified how winners were determined as it was not listed previously and added in additional tie breaker language and timelines that were not present before.

Section 2.A: Added the traditional date for when new officers take office as before it was just past practice.

Section 2.C: Added electronic ballots to clarify that it was an option for elections. Per Article 8.1.C in which Elections committee is now a Commission language is updated to reflect.

Section 3.A: Clarified the process of replacing vacancies for Officers (not President) and Exec board as there was no clear timeline laid out previously.

Section 3.B: Mirrors Constitution language for recall, added to consolidate election language in one section.

Section 4: Moved in from other Articles to consolidate election language in this section. Also language clean up.

NEW Article III

Title: Title Changed to “Nominations and Elections of Building Representatives”. Language moved from previous Article VI

Section 1.A: Ratio of members to number of reps changed from 1:25 to 1:20. Rational for change was a way to continue to build capacity in the Union and allow more members to take a role in the governance. Felt that this ratio would allow growth without an overwhelming increase from year over year. Projected to add 10-20 additional building reps for the 21-22 school year based on estimated numbers of staff.

Section 1.D: Due to increasing of ratio in Section 1.A wanted to clarify how the impact of job alike special subgroups like counselors, librarians etc would affect the building rep ratio. Wanted to make sure of equality in representation while respecting the need for job alike “special” groups.

New Article IV

Added in the job responsibilities of the KEA Officers to the By-Laws. This is to bring us more in line with other locals and WEA recommendations as changes to Polices, where these responsibilities were

previously listed, were too easy to make for such an important role. Unless noted below language is pulled straight from Policies document.

Section 1.2: New to clarify the ability of the President chair and to delegate the chair of all meetings.

Section 1.3: Added approval by Exec Board of Chairpersons and members of committees. This is to increase the checks and balance role of the Exec Board.

Section 1.10: Added Staff to clarify that the President directs staff that are paid for using KEA dues.

Section 1.12: Clarifies that President even though a non-voting member when chairing meetings, breaks ties, which is current practice and consistent with KEA's parliamentary procedure.

Section 1.13: Clarifies the responsibility of the President to communicate with KEA members regularly.

Section 2.4: Clarified the Vice-President is a voting member of Exec Board and Rep Council.

Section 3.2: Clarified the Secretary/Treasurer is a voting member of the Exec Board and Rep Council

Section 3.9: Clarified the role of Secretary/Treasurer in helping Staff prepare the Budget. As KEA has grown most of the day-to-day duties of managing the finances of the Association has moved to specialized Staff working at the KEA office. This is to ensure KEA's accounts follow all necessary legal and fiscal requirements which require specialized training. This language better reflects the role of the KEA Secretary/Treasurer in the process.

Renumbered Article V

Section 1: Added approval of contract waivers which is the responsibility outlined in the CBA and based on past practice.

Section 2: Exec board no longer actively develops most of the PD offered by KEA, it instead approves PD that KEA brings in for its members. This increases the quality of the PD being offered to KEA members.

Section 3: This is all new language. Previous there was no language guiding the approval of Memorandums of Understanding (MOUs). This language outlines the process and places checks and balances on them to make sure the President can not unilaterally approve an MOU that effects large numbers of KEA members without some oversight, while still allowing smaller ones that effect specific groups of people who need quick remedy for issues.

In addition, it lays out guidelines for how MOUs are handled including if there are ones that might need to be rolled over from one year to another if there isn't a full bargain.

Section 4: Language regarding elections was moved to Article II

Section 5.B: In order to further address the history of underrepresentation of educators of color in our education systems the inclusion of such an at-large position is mandated. A constitutional change would be needed to make that position a voting member of the exec board which may occur in a future constitutional amendment.

Section 5.C: Added to help prevent loses of institutional knowledge after elections that see a change in President. It is felt that it is important that a new president has the opportunity of the past experience

of the previous President to help allow a smooth transition of leadership and guarantee the best possible representation for our members.

Renumbered Article VI

Title: Changed to include Building Representatives to allow for consolidation of language regarding the two related positions.

Section 1: As in the role of officers, language from the Policies was moved over and condensed to better reflect the expectations of the Rep Council and bring us in line with WEA recommendations and other local associations.

Section 2.B: moved over from Policies with the change of the end time of Rep Council to 6:00 PM to better reflect the current practice of longer meetings due to the amount of information that has to be covered in each meeting.

Section 2.C: Moved over from Policies.

Section 2.D: Previous Article IV Section 1, moved to this location.

Section 3: As in the role of officers, language from the Policies was moved over and condensed to better reflect the expectations of Building Reps and bring us in line with WEA recommendations and other local associations.

Section 4: Created language to provide for a stipend for building reps. Up until this point Building Reps do increased work and travel to Rep Council meetings on a voluntary basis. This section allows the Exec Board to provide a stipend to reps to compensate them for that time and travel. The Exec Board can make sure doing so will not have an adverse impact on the KEA budget by setting an appropriate amount each year.

Additionally, the section includes language to make the stipend proportional to the number of Rep Councils Building Reps attend.

Old Article VI and VII:

Struck because the language has been moved to other Articles.

Article VIII

Section 1.C: creation of Election Commission, previously Elections was a committee however the yearly importance of the committee justified making a commission and expanding the description of its responsibilities to prevent issues coming up in how KEA elections are conducted.

Section 1.C.a: Lays out roles of Commissions

Section 1.C.b&c: The Election Commission shall yearly prepare a document to govern all elections to be held that year. That document will then be approved by Rep Council well before elections are held and then made public to KEA members. This will insure all potential and current candidates understand the process by which elections will be conducted. This is similar to how WEA conducts their elections.

Section 2.A: These changes are to make sure the President can create a Bargaining team that best represents the Association. It allows the President the flexibility to make the team as large as needed to address the diverse issues that different job positions have.

Section 2.B These changes are to make sure the Grievance Commission has the flexibility to be as large or as small as it needs to be for each year.

Section 2.D: These changes allow the President to build a team that best reflects the needs for each year's bargain while still making sure there is an regular influx of new members.

Article IX

Section 1: Struck Elections for the list of committees as it is now a commission in Article VIII.

Articles X and XI:

no changes.