

Lewistown Education Association

Constitution, Bylaws, and Policies

Revision: 2016

LEWISTOWN EDUCATION ASSOCIATION CONSTITUTION

ARTICLE I- NAME

Section 1- the name of this Association shall be the Lewistown Education Association, an affiliate of the Montana Education Association-Montana Federation of Teachers and the National Education Association and American Federation of Teachers.

ARTICLE II- PURPOSES

Section 1- The Association shall work for the welfare of children and youth, the advancement of education, and improvement of instructional opportunities for all.

Section 2 - The Association shall work to develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

Section 3 - The Association shall work to improve professional, economic, social, and civic status of its members and negotiate and bargain to obtain such improvement.

Section 4 - The Association shall work to enable members to speak with a collective voice on professional matters and to present their interest before the employer and other legal authorities.

Section 5 - The Association shall hold property and funds for the attainment of these purposes.

Section 6 -The Association shall represent its members in contract negotiations, contract maintenance, and other employer/employee relations and issues.

Section 7-The Association shall comply with MEA-MFT standards of affiliation.

ARTICLE III GOVERNANCE

SECTION 1- GOVERNANCE

The Association shall be governed by its Constitution, the Bylaws, the Policies, and such other actions deemed necessary by the General Membership, and the Executive Board.

ARTICLE IV MEMBERSHIP

Section 1-Active Membership

- a. Active membership in the Association shall be open to any member of an appropriate bargaining unit represented by the Lewistown Education Association and the CBA. Active membership shall be continuous until the member resigns, retires, or transfers away from a bargaining unit position or cancels membership pursuant to MEA-MFT policy. Active membership shall be continuous until the member fails to comply with MEA-MFT policy.

- a. Active members of the Association shall have the right to hold unit, district, or state office in the Association consistent with adopted requirements for the offices.
- b. Active members of the Association shall have the right to serve as representative to the Representative Assembly and as member of the Executive Board.
- c. Active members of the Association shall have the right to serve on committees of the Association.
- d. Active members of the Association shall have the right to vote in all Association elections.
- e. Active members of the Association shall also be members of the MEA-MFT and the National Education Association and American Federation of Teachers.
- f. Any member on leave from the District may continue membership in the Association upon payment of Associate Membership dues. Associate members receive no rights or benefits, including the right to vote and hold office, but do receive appropriate publications.

Section 2 - The membership year shall be from September 1 to August 31.

Section 3 - Representation Fee Payers

- a. The Association may require of each non-member the payment of the Representation Fee. The fee shall cover the services of the Association in discharging its obligation to represent members of the bargaining unit in the process of negotiating and administering the collective bargaining agreement.
- b. The amount of such fee shall be determined by the Association.

ARTICLE V - OFFICERS

Section 1-

- a. The officers of the Association shall consist of a President, Vice-President, a Secretary, a Treasurer, and three District Representatives.
- b. The Immediate Past President shall serve as an officer of the Association, but shall act in an advisory capacity only, with no voting powers in the Executive Board.

ARTICLE VI - EXECUTIVE BOARD

Section 1- The Executive Board shall consist of the officers and building representatives. It shall be the executive authority of the Association.

Section 2 - Whenever a majority of the Executive Board shall agree that an officer has been grossly negligent of his duties as defined by the Bylaws, or is incapacitated, they shall recommend to the general membership that the officer be declared vacant. If the general membership so votes by a two-thirds majority, it shall immediately elect a replacement to fill the unexpired term.

ARTICLE VII - POLICY - FORMING BODY

Section 1-The legislative and policy-forming body of the Association shall be the general membership.

ARTICLE VIII - AFFILIATION

Section 1-

- a. The Association shall comply with all affiliation requirements of the MEA-MFT and the National Education Association and American Federation of Teachers. Any part of this constitution found to be in conflict with the governing documents of either the MEA-MFT, the National Education Association, or American Federation of Teachers shall be declared null and void.
- b. The Association shall submit to a review by the MEA-MFT of this constitution and its bylaws for the purpose of determining its continuing compliance with the MEA-MFT and/or NEA/AFT standards of affiliation annually.

ARTICLE IX -AMENDMENTS

Section 1-Amendments to this Constitution, Bylaws, and Policies Book must be submitted in writing at an Exec Board meeting. A copy of the proposed amendments shall be distributed to the membership one week prior to the General meeting.

BYLAWS

ARTICLE I- MEETINGS

Section 1- Executive Board - the Executive Board shall meet the first Thursday of each month or as agreed on by the Executive Board during the school year. Special Executive Board meetings may be called as needed by the President.

Section 2 - General Membership Meeting - At least two (2) general meetings shall be scheduled by the Executive Board. One will be held in the fall and the second in the spring of the school year. The agenda will be prepared by the President and will be available to members prior to the general meeting.

Section 3 - Special Meetings - Special meetings of the general membership may be called for by the president, a majority vote of the Executive Board, or petition by at least ten percent (10%) of the membership.

ARTICLE II – Officer Duties

Section 1- President - the president of the Association shall perform the functions attributed to this office:

- Serve as the Executive Officer of the Association
- Preside over meetings of the Executive Board and Association
- Attend MEA - MFT District meetings, Little Representative and Annual Representative Assemblies
- Appoint chairpersons and members of standing committees, with the exception of special committees
- Officio member of all standing committees
- Represent the Association before the public either personally or through delegates,
- Perform other duties as directed by the Executive Board and General Membership.
- Attend school board meetings
- Compliance with MEA-MFT requirements

Section 2 - Vice president - The president of the Association shall perform the functions attributed to this office:

- Chair the nominating committee
- Meet semiannually with committee chairs regarding committee activity and recommendation for action by the General Membership
- Audit the bank statement semiannually
- Serve as the President's alternate to all MEA - MFT required District and state meetings

Section 3 - Secretary - The secretary of the Association shall perform the functions attributed to this office:

- Keep accurate minutes of all meetings
- Maintain official files
- Assist the president with Association corresponding

Section 4 - Treasurer - The treasurer of the Association shall perform the functions attributed to this office:

- Hold and disburse funds upon authorization of the Executive Board
- Maintain membership records
- Keep accurate accounts of receipts and disbursements
- Present a current budget at each meeting
- Prepare and annual financial statement for publication to members
- Present records for an annual audit to the Vice president
- Develop a proposed annual budget to Exec. Board and Membership for approval in the fall of each year
- Prepare and disperse employment record keeping forms in January for our elected officers Tax information
- Report Conscientious Religious Objectors proof of dues documentation to MEA-MFT

Section 5 - Immediate Past -President shall serve in an advisory capacity by:

- Assisting the president at the latter's request
- Advising the Executive board as a non voting member

Section 6 - MEA - MFT District Representatives will represent the Association on a proportional basis determined by membership. The local President shall be the 1st District Representative. An alternate delegate will be elected to attend the Representative assemblies should any elected delegate be unable to attend.

District Representatives shall:

- Act as liaison between the local Association and MEA - MFT District meetings
- Attend all District meetings
- Attend Little Representative Assembly
- Attend Annual Representative Assembly

Section 7 - Terms and Succession

- The term of office shall be for one year and shall begin June 15 annually.

- Whenever the offices of President And Vice-president shall become vacant between elections, the remaining members of the Executive Board shall choose one of their number to serve as President pro tempore until the General Membership can fill the Vacancies.
- Other offices may be created by recommendation of the Executive Board and the approval of the General Membership.

ARTICLE IV - POWER OF THE EXECUTIVE BOARD

Section 1-Within policies established by the General Membership, the Executive Board shall be responsible for the management of the Association, approve all expenditures, and carry out policies of the Association. It shall report its transactions to the members and suggest policies for consideration by the membership. It shall establish guidelines for and assign goals to various committees.

Section 2 - The Executive Board shall request an audit of all accounts and records to be made by the Vice President semi-annually. The report of the audit will be submitted to the Executive Board and MEA-MFT.

ARTICLE V - POWERS OF THE GENERAL MEMBERSHIP

Section 1- The General Membership shall approve the budget, set the dues for the Association, act on reports of committees, as well as approve resolutions and other policy statements. It may adopt such rules governing the conduct of the Association and the conduct of meetings as are consistent with this Constitution, Bylaws, and Policies Book. It shall be the final judge of the qualifications and election of officers and building representatives.

Powers not delegated to the Executive Board, the officers or other groups in the Association shall be vested in the general membership.

ARTICLE VI - BUILDING REPRESENTATIVES

Section 1- In each building, active members of the Association shall elect for a term of one year building representative(s) to the Executive Board. Each building shall be entitled to one representative on the Executive Board per 10 members (or major fraction thereof) in the building.

Section 2 - Building representatives shall attend the regular meetings and will serve as liaisons between their buildings and the Executive Board. At the direction of the Vice President, they will conduct spring election in their building.

Section 3 - Building representatives shall be members of the MEA-MFT, the National Education Association, and American Federation of Teachers, and shall maintain their membership in good standing during their term of service.

ARTICLE VII - STANDING COMMITTEES

Section 1- The Executive Board shall annually appoint those committees which might be essential for Association operation. Each committee shall, with the approval of the Executive Board, organize special sub-committees and task forces for specific activities from the membership of the Association. Committee designations will be consistent with the NEA, AFT, MEA-MFT structure.

Section 2 - Meetings - Each standing committee shall meet regularly according to a calendar developed by the Executive Board and may hold special meetings at the call of the chairman.

Section 3 - Reports - Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report on items of action to the General Membership and shall prepare an annual written report summarizing objectives, action programs, gains, and unreach goals, which the Executive Board shall file to become a part of the continuing record in the Association files.

Section 4 - Negotiations Committee -The Negotiations Committee will be selected by the President and Exec. Board.

- a. They shall attend the Bargaining Training mutually provided by the District and LEA.
- b. They shall receive a stipend for their service on this committee to be determined by the Exec. Board and voted on by members with the fall budget.
- c. A chairperson shall be appointed.
- d. Effort should be made to have representation from different buildings in the District.
- e. The Executive Board shall make recommendation to the General Membership in May of each year whether to continue Collective Gaining or to revert to Collective Bargaining.
- f. For purposes of ratification votes on contract proposals the LEA shall schedule a special meeting of the General Membership at a time convenient to the members. Such meeting shall not be held at a time when members are committed by contractual obligations to the School District.
- g. The Negotiations Committee shall negotiate with the employer on wages, hours, fringe benefits and other conditions of employment for all personnel in the bargaining unit.
- h. The Negotiations Committee shall have the power to negotiate and have the authority to bargain in good faith, including the right to modify proposals and make concessions subject only to ratification of the General Membership as stated in the Montana State Law Collective Bargaining Act for Public Employees.
- i. The General Membership shall be kept informed by the Negotiations Committee of the progress of negotiations by committee reports at regular general meetings.
- j. Upon reaching tentative agreement with the employer on all matters in negotiation, the Committee shall prepare and submit its final report and recommendation to the members of the Association in the bargaining unit at a regular or special general meeting.

ARTICLE VIII - SPECIAL COMMITTEES

Section 1- Each year the Executive Board shall appoint 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 General Membership.

Section 2 - Each gaining year, the President, working mutually with the Superintendent and the Chairperson of the Board of Trustees of School District #1, shall select a team of collective Gainers. There shall be four teachers, all of whom must be LEA, MEA-MFT, NEA-AFT active members, and there shall be one administrator and three Board members. These Gainers shall work under the guidelines mutually established between the Association and the District to obtain a contract settlement by February 1 unless an extension has been requested in writing from the Negotiation Committee. This extension will be voted on by the Exec. Board. Should no contract be proposed by February 1 or the new extension deadline, bargaining shall revert to the formal process of negotiations and this portion of the constitution shall become inactive. Bargaining shall revert to specifications outlined in Article VII Section 4 a-d of these Bylaws.

ARTICLE IX - ELECTIONS

Section 1- Nominations

- a. The active members of the Association, in each building, during the month of April, may nominate candidates for President, Vice-president, Secretary, Treasurer, and District Representatives. The building representatives shall deliver all nominations in writing to the Vice President.
- b. The Vice President shall report all nominations to the General Membership at the spring meeting. Members of the Association may nominate other candidates from the floor.
- c. The Association shall encourage the nomination and election of members following standards of affiliation.

Section 2 - Balloting

- a. Following the spring meeting, members shall vote by secret ballot of any contested race.
- b. Balloting shall follow the principle of one member-one vote to be conducted by the Building Representative.

ARTICLE X - AUTHORITY

Section 1- Robert's Rules, latest revised edition, shall be the parliamentary authority for the Association of all questions not covered by the Constitution and Bylaws and such standing rules as the General Membership may adopt.

LEA POLICY BOOK

INTRODUCTION

Policy of the Association shall be defined as being any course of action, plan, guiding principle, or procedure adopted and considered to be prudent, expedient, or advantageous to the Association and its governance bodies.

The Executive Board of the Association, acting by the affirmative vote, of two-thirds or more of its members, shall have the power to adopt, and from time to time, amend such rules and regulations pertaining to the purposes, activities, and affairs of the Association as it deems necessary and desirable, provided that such rules and regulations do not conflict with any provisions of the Association Constitution, law, Articles of Incorporation of the Association, or any action taken by the General Membership. Such rules and regulations shall be known and designated as Association Policy.

March 2012

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GENERAL

EXECUTIVE BOARD

201

Any member of the LEA may address the Executive Board while in session when recognized by the presiding officer.

BUDGET AND FISCAL POLICIES

301

The Association shall remit its Cluster District Dues of \$1.00 per member prior to MEA/MFT Representative Assembly of each membership year.

302

At the end of each fiscal year, a sufficient amount of money will be transferred to our savings account to adequately fund the LEA obligations for the upcoming fiscal year.

303

Members who expend the funds for the LEA shall be reimbursed expenses upon submission of their receipts to the treasurer.

COMMITTEES

401

- A. The **Scholarship Committee** shall be made up of 3 members. One scholarship shall be given annually in the amount of \$500 or an amount determined by the LEA Exec. Board. The recipient must meet the following qualifications:
 - 1. Going to or already attending a Montana college in the area of education
 - 2. Meet the guidelines established by the Committee
- B. The **Social Committee** shall plan the spring Retirement Party based on the budget set by the Exec. Board.
- C. **Contract Enforcement Committee (Grievance Committee)** shall be a variety of members who will stay current of contractual issues. They must be able to keep the confidences of the grievant and be objective. The grievance procedure is an extension of the bargaining process; it is a non- adversarial method of resolving conflicts that arise from the application of the Bargaining Agreement. Grievance form is attached and a copy should be on LEA's bulletin board in each building.
- D. **Nominations Committee** shall submit a list of names to the May Executive meeting.

- E. **Calendar Committee** shall comprise of 3 members from different buildings to consult with the Superintendent on calendar options for the upcoming year. The options will be brought to the Exec. Board to discuss and if there are changes suggested, brought back to the Superintendent. The members will vote on two final options.
- F. **Welcoming Committee** will assemble gift bags for the new teachers to present at their orientation in the fall.
- G. **PR Committee** will facilitate communications with the local paper and/or radio in order to better communicate with the community.

COMMUNICATIONS

501

The president serves as the official spokesperson of the LEA.

502

- A. The LEA shall publish an internal newsletter as needed, which shall be distributed to all members.
- B. The LEA shall send a copy of each month's newsletter to the MEA/MFT President.

503

Annually the LEA shall provide each member of the Executive Committee a copy of the Constitution, Bylaws, Policy Book.

MEA/MFT REPRESENTATIVE ASSEMBLY AND NEA REPRESENTATIVE ASSEMBLY

601

The Association may annually send a delegate elected by the .General Membership to the NEA Representative Assembly and shall provide financial assistance to defray the cost. Additional funding is available from Cluster Delegate Dues. The delegate shall report the business of the Representative Assembly at the fall meeting of the Association and shall provide, upon request, a record of his/her voting at the Representative Assembly.

602

The Association shall annually send delegates elected by the General Membership to the MEA/MFT Representative Assembly and shall provide funding for such delegates. The delegates shall report the business of the Assembly at the spring meeting of the Association or through the newsletter, and they shall provide, upon request, a record of their voting at the Assembly.

603

In the event of the MEA-MFT shall convene a Special Representative Assembly in any given year, the LEA shall send the immediate past delegates as representatives and shall provide those delegates funding commensurate with the cost of the Special Delegate Assembly.

MEMBERSHIP AND DUES

701

Annual dues for the LEA shall be \$60.00.

702

In August of each year, the LEA president shall request 20-year pins from the MEA and shall honor recipients by presentation of such pins.

SICK BANK

801 Members requesting sick days from LEA's sick bank must write a letter of request to the Exec. Board.

802 No sick bank days may be used for personal days.

803 LEA's sick bank form will be filled out and submitted to the president or secretary.

804 All sick leave must be exhausted first before a member can receive days from the bank.

805 A member must go without pay one day before a request from the sick bank will begin.

806 A member eligible for receipt of sick leave days will receive no more than ten days from the sick bank.

807 If a person still needs more time, then he or she has to be without pay for two days before reapplying for more sick bank days. The same process will be followed.

808 Up to five days will be granted for regular maternity leave. An additional five days may be granted at the discretion of the LEA Exec. Board. This is only for members who return to teach in the same school year.

809 Each request will be evaluated by the LEA Executive Board.

POLITICAL ACTION 901 BYLAWS GOVERNING THE

OPERATION OF THE LEA-PAC

I. NAME

The name of this committee shall be the Lewistown Education Association Political Action Committee, otherwise known as and called LEA-PAC.

II. PURPOSE

To fully realize the goals and objectives of the MEA-MFT in Lewistown, Montana, persons who are friends of education shall be supported for local, state, and federal offices. Financial and other support shall be mobilized in order to secure the election of such persons. LEA-PAC, in conjunction and cooperation with the Committee on Political Education (COPE) of MEA-MFT and its national affiliates: NEA FCPE (Friends of Children & Public Education) and AFT COPE), shall provide the vehicle for such mobilization at the local level. LEA-PAC shall have no program or policy-making authority except as specified herein and is not a membership organization; it shall exist and operate solely as a committee of and political adjunct to the Lewistown Education Association and at its pleasure within the guidelines established by MEA-MFT COPE.

III. FUND-RAISING

- A. Each LEA member shall be given the opportunity to voluntarily contribute annually to PAC in addition to their annual contributions to the Committee on Political Committees of MEA-MFT and its national and local affiliates.
- B. Methods of collection of such funds shall be determined by the Executive Board of LEA upon the recommendation of LEA-PAC.

IV. GOVERNANCE

- A. The affairs of LEA-PAC shall be governed by a seven (7) member Board of Trustees which shall consist of the following:
 - 1. The President of LEA
 - 2. The Vice President of LEA
 - 3. Five (5) other such trustees as may be determined and selected by the Executive Board of the LEA
- B. The President of the LEA, or his/her designees, shall serve as the Chairperson of LEA-PAC. In the absence of the President or his/her designee, the Vice President of the LEA shall perform the function of Chairperson. The Trustees of LEA-PAC shall elect one of their members to serve as Secretary/Treasurer.
- C. The term of office for the LEA-PAC officers shall coincide with their LEA term of office. Other trustees shall serve three-year staggered terms.
- D. Vacancies shall be filled by the Executive Board of the LEA.
- E. The Board of Trustees shall hold three regular meetings each year. Additional meetings may be held at the discretion of the Chairperson or upon request of a majority of the Board. A quorum consists of a majority of the Board.

F. The MEA-MFT Field Consultant shall serve as a staff consultant to the board of trustees .

V. Duties

- A. To assist, if requested by the regional PAC's in interviewing of state legislative candidates pursuant to MEA-MFT COPE Operating Procedures.
- B. To provide support to all endorsed candidates of MEA-MFT COPE and NEA FCPE and AFT COPE.
- C. To endorse, raise funds, distribute contributions and otherwise support candidates for local office (i.e. school board, etc.) which seems appropriate or useful.
- D. To develop and adopt operating procedures for the effective performance of its duties.
- E. To perform proper administration of its affairs including receipt, safe-keeping and disbursement of all funds which shall be kept in a separate, segregated bank account; maintain a list of all contributors; and file all reports as may be required by law for Political Committees.

VI. Parliamentary Authority

The current edition of Robert's rules of Order Newly Revised shall govern the conduct of official business of the Board of Trustees.

VII. ADOPTION AND AMENDMENTS

These bylaws shall be adopted and amended only by the Executive Board of the LEA.

RETIREMENTS

1001

It shall be the policy of the LEA to honor members who retire from teaching.

Grievance No. _____

GRIEVANCE FORM

Name of Grievant: _____ Date filed: _____

Work Location: _____

Assignment: _____

Date Grievance Occurred: _____

Nature of Grievance: _____

Bargaining Agreement Articles of Practice(s) Violated: _____

Relief Sought: _____

(Signature of Grievant) _____

(Date) _____

FORMAL LEVEL I

Date received by Supervisor: _____

Disposition by Supervisor: _____

(Signature) _____

(Date) _____

FORMAL LEVEL II

Date received by Superintendent or Designee: _____ Disposition by Superintendent or Designee: _____

(Signature) _____

(Date) _____

FORMAL LEVEL III

Date received by Board or Designee: _____

Disposition by Board or Designee: _____

(Signature of Grievant) _____

(Date) _____

FORMAL LEVEL IV

Date submitted to Arbitration: _____

Disposition by Arbitration: _____