

**Westminster Education Association**

**By-laws**

Ratified	April 3, 1973
Amended	April 16, 1974
Amended	February 1977
Amended	September 1979
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Amended	November 2004
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<b>Amended</b>	<b>April 2009</b>
<b>Amended</b>	<b>October 2011</b>

**ARTICLE I – MEMBERSHIP**

**SECTION I – COMPOSITION**

- A. Membership in the organization shall consist of:
  - 1. Certified classroom teachers with at least a bachelor’s degree or a vocational credential who are employed by Adams County School District 50 and who are members of, or who simultaneously join the Westminster Education Association, the Colorado Education Association and the National Education Association (United Education Profession).
  - 2. Educational Support Professional (ESP) employees of School District 50 who are employed by Adams County School District 50 and who are members of, or who simultaneously join the Westminster Education Association, The Colorado Education Association and the National Education Association (United Education Profession).
  - 3. Other employees of School District 50 as determined by the WEA Board of Directors.
- B. The Association shall have no rule, procedure, or practice that permits discrimination on the basis of race, creed, color, national origin, religion, or gender.
- C. Membership in this Association is voluntary for those who are eligible.

**SECTION II – OBLIGATIONS AND RIGHTS OF ACTIVE MEMBERS IN GOOD STANDING**

- A. **Obligations:**
  - 1. To support the purposes and programs of the Association.
  - 2. To exemplify the professional ethics as set forth in the National Education Association Code of Ethics.
  - 3. To maintain professional standards.
  - 4. To conform to the Articles of Incorporation, By-laws and Standing Rules.
  - 5. To pay membership dues promptly.
- B. **Rights:**
  - 1. The right to vote on all matters presented to the membership.
  - 2. The right to be eligible for elective and appointive positions in the Association.
  - 3. The right to propose or review policies by petition of ten percent (10%) of the current membership.
  - 4. The right to receive publications and reports of the Association.

**SECTION III – EXPULSION, SUSPENSION OR CENSURE OF MEMBERS**

- A. Any active member may initiate action against another member in writing to the WEA president outlining those Articles of the NEA Code of Ethics or WEA By-laws which they feel have been violated. Substantiating evidence must accompany the alleged violations. The president shall notify the accused member of the allegations and of the right to a hearing before a five-person commission. The commission shall be elected by a two-thirds (2/3) vote of the Association Representative Council (AR Council). This commission shall hold hearing(s) and give its recommendation to the board of directors. The board of directors shall have the power to censure, suspend or expel any member for just cause after consideration of the commission’s recommendation.

- B. Any action taken by the board of directors may be appealed to the AR Council. A two-thirds (2/3) vote of the Association Representatives voting shall be required to override the board of directors.

#### **SECTION IV – REINSTATEMENT OF EXPELLED, SUSPENDED, OR CENSURED MEMBERS**

- A. Upon written request by the expelled, suspended or censured member(s) and/or the board of directors, the AR Council will elect a commission to evaluate the request.
- B. The commission will hold hearings and give its recommendation to the AR Council. The AR Council will consider the commission's recommendation in reaching the decision about reinstatement. The member shall be reinstated following a vote in which two-thirds (2/3) of those voting favor the reinstatement of that member.

#### **SECTION V – MEMBERSHIP YEAR**

Membership shall be continuous unless voluntarily terminated by the member. Voluntary termination shall be submitted in writing to the president of the Association between June 1 and June 15 of any calendar year. Members shall be billed on an annual basis, due within thirty (30) days of enrollment, unless their dues are collected through payroll deduction. The previous year's dues will be paid no later than August 1 of any school year.

#### **SECTION VI – DUES**

- A. The annual dues for active members of this Association shall be seventy-two hundredths of one percent (.0072) of the annual base salary of the certified personnel salary schedule rounded off to the nearest dollar
- B. The change in annual dues will commence in August and will be determined by the salary schedule in effect on that date.
- C. Any teacher employed by School District 50 who receives one-half (1/2) salary or less, shall be eligible for membership upon paying one-half (1/2) of the annual Association dues.
- D. Dues for persons employed in the district during the school year shall be pro-rated accordingly.
- E. Educational Support Personnel (ESP) dues will be one half (1/2) that of certified staff dues. ESP members working at least 1387.5 hrs shall be considered full-time employees.
- F. Association dues are not refundable. Further, for those members who pay their dues by payroll deduction, dues remaining upon termination of employment or upon commencement of leaves of absence, or upon withdrawal from the Association shall be deducted in full upon issue of the next salary warrant unless a written release from this obligation is obtained from the Association Board of Directors.

#### **SECTION VII – AFFILIATION**

The Association shall be chartered by the Colorado Education Association and the National Education Association.

### **ARTICLE 2 – OFFICERS**

#### **SECTION I – DEFINITION OF OFFICERS**

The officers of the Association shall be: President, Certified Vice-president, ESP Vice-president, Secretary and Treasurer.

#### **SECTION II – POWERS AND DUTIES OF THE PRESIDENT**

- A.
  1. The president of the Association shall be the presiding officer on the board of directors, as well as Chief Executive of the Association.
  2. The president or designee shall serve as chair of the Association's delegation to the CEA Delegate Assembly.
  3. The president shall have such powers and shall perform such duties as may from time to time be specified in resolutions or other directives of the board of directors. In the absence of such specifications, the president shall have the power and authority and shall perform and discharge the duties of president serving in education associations having the same or similar general purpose and objectives as this Association.
  4. The president shall appoint the chair of each committee, appoint an ad hoc task force when needed, and be ex-officio member of all committees and task forces, except the Committee on Nominations and Elections and Organizing Committee.
- B. The president or his/her designee shall represent the Association before the public.

- C. The president shall employ, with the consent of the board of directors, office personnel as deemed necessary for the efficient operation of the Association office.
- D. The president and UniServ Director in coordination with the Administrative Assistant shall see that the permanent files of the Association records are kept current.
- E. The president, together with the treasurer or Administrative Assistant, shall sign all checks of the Association.
- F. The president shall serve as general manager of the Association.
- G. The president or designee shall attend and preside at all AR Council meetings.
- H. The president shall be a voting member of the AR Council and the board of directors.
- I. The president, upon expiration of his/her term(s), if possible, shall serve as immediate past-president.

### **SECTION III – POWERS AND DUTIES OF THE VICE-PRESIDENT**

- A. In the case of a vacancy in the office of president, or in the case of absence or disability of the president, as determined by the board of directors, the vice-president, with the longer length of service as a vice-president, shall act in his/her place with his/her authority.
- B. The Certified vice-president will serve as co-facilitator of the Instructional Advisory Committee, per the negotiated agreement Article 36-3.
- C. The vice-presidents shall also perform such additional appropriate duties as may be ordered by the president or as designated in the Standing Rules.
- D. The vice-presidents shall work closely with committees as designated by the president. They shall be members of the By-laws and Standing Rules Committee.
- E. Either vice-president, in case of the absence or disability of the treasurer, shall have the authority together with the president, to sign checks of the Association.
- F. The vice-presidents shall serve as membership co-chairs or shall, together with the president, select a membership chair.
- G. The vice-presidents shall make every effort to attend all AR Council meetings.

### **SECTION IV – POWERS AND DUTIES OF THE SECRETARY**

The secretary of the Association shall be responsible for keeping minutes and taking attendance at meetings of the AR Council and the board of directors and shall be responsible for keeping other records as requested by the president.

### **SECTION V – POWERS AND DUTIES OF THE TREASURER**

The treasurer of the Association shall exercise general supervision of the funds of the Association and, with the help of the UniServ Director and the Administrative Assistant, is responsible for collection of United Education Profession (UEP) dues and periodic financial reports and shall together with the president, Board of Directors and the UniServ Director, prepare the General Budget as covered by the by-laws on Finance.

### **SECTION VI – TERMS OF OFFICE**

- A. The term of office for the president and vice-presidents shall be for three (3)-years and elections shall be staggered over three years to ensure only one officer is elected each year. The term of office for secretary shall be for two (2) years, beginning June 1 of the year elected.
- B. The term of office for treasurer shall be for two (2) years beginning June 1 of the year elected.
- C. Each of the above officers shall be eligible for re-election but may not serve more than six-consecutive years in the same elected office.
- D. In the case of any race being uncontested, the person running shall be elected by acclamation.
- E. Elections shall be conducted as outlined in the Standing Rules.

### **SECTION VII – QUALIFICATIONS**

- A. A candidate for office shall have been an active member of the Association for a minimum of one year, excepting the president, who shall have been a member for two years including the present year of membership and shall have evidenced interest by service and active participation in the Association.
- B. In the event a candidate for office does not meet the qualifications, the board of directors shall have the authority to waive these requirements by a majority vote.

## **SECTION VIII – SELECTION**

A vacancy in any office, other than that of president, shall be filled by an election in the manner set forth in the Standing Rules.

## **SECTION IX – RECALL**

Any elected officer of the Association who is charged with misfeasance, malfeasance, or nonfeasance of duty may, (a) upon receipt by the board of directors of a petition signed by twenty percent (20%) of the qualified electors, or (b) upon the majority vote of the board of directors, be subject to a ballot for recall. The ballot shall be delivered to all qualified electors within ten (10) school days of the receipt of the petition, or of the vote of the board of directors. The office shall be declared vacant following a vote in which two-thirds (2/3) of those voting favor the recall of that officer.

## **ARTICLE 3 – BOARD OF DIRECTORS**

### **SECTION I – COMPOSITION**

- A. The sixteen (16) members of the Association who shall constitute the WEA Board of Directors shall be the president, the Certified vice-president, ESP vice-president, treasurer, secretary, one (1) Certified director elected from the senior high level, one (1) Certified director from the middle school level, two (2) Certified directors elected from the elementary level, two (2) Certified directors elected at-large, one (1) ESP elected at-large, two (2) ESP directors working at school sites and two (2) ESP directors working at non-school sites. Every effort shall be made to comply with NEA guidelines concerning the one person, one vote principle.
- B. The immediate past-president of the association shall act as an advisor to the president when requested.

### **SECTION II – POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

- A. The Board of Directors of the Association shall perform the duties usually associated with the board of directors of such an Association, together with duties which are prescribed in these by-laws and Standing Rules, in the Articles of Incorporation, and in the laws of the state of Colorado.
- B. It shall be the duty of the board of directors to promote the programs of the Association and to develop and maintain cooperation with the state and national associations.
- C. The board shall, together with the UniServ Director, be responsible for assuring that an annual audit is performed.
- D. The Association Board of Directors is the executive body of the corporation, within policy limitations set by the AR Council. It shall implement policy as established by the AR Council.
- E. The board shall elect four (4) members (2 certified and 2 ESP) of the Association to serve on the UniServ Council for two-years. These terms will alternate, with one (1) certified and one (1) ESP each year. The board shall review decisions and any recommendations made by the Association Representatives on the UniServ Council. Any vacancy in Association positions on the UniServ Council shall be filled by a majority vote of the board of directors.

### **SECTION III – QUALIFICATIONS**

A Candidate for a seat on the board of directors shall have been an active member of the Association for a minimum of one year, including the present year of membership, and shall have evidenced interest by service and active participation in the Association.

### **SECTION IV – ELECTION**

The members of the Association Board of Directors shall be nominated and elected in accordance with the provisions of the Standing Rules.

### **SECTION V – TERMS OF OFFICE**

- A. The president, vice-presidents, secretary and treasurer shall each serve on the Association Board of Directors. Accordingly, they shall be eligible for re-election, but may not serve more than six (6) consecutive years in the same elected seat.
- B. The term of the grade level directors shall be two (2) years and shall be staggered so that one secondary and one elementary director shall be elected each year.
- C. The term of the Certified at-large directors shall be two (2) years and shall be staggered to ensure at least one Certified at-large director be elected each year.
- D. The term of the ESP at-large director shall be two (2) years.

- E. The term for ESP School directors shall be two (2) years, and shall be staggered to ensure at least one ESP School director is elected each year.
- F. The term for ESP Non-School directors shall be a two (2) years, and shall be staggered to ensure at least one ESP Non-School director is elected each year.
- G. Elections shall be conducted as outlined in the Standing Rules.

#### **SECTION VI – MEETINGS**

The board of directors shall meet two times a month (one of which could be the monthly AR meeting) during the school year unless deemed unnecessary by a majority of the board. The board will determine the time and place. Special meetings may, upon notice to all board members, be called by the president or by petition to the president signed by twenty-five percent (25%) of the members of the board. The call shall include the items of business to be considered at the meeting. At any meeting of the board, a majority vote of those present at any meeting of the board of directors shall be required in order for a motion to pass. A roll call vote shall be taken and recorded on disputed issues.

#### **SECTION VII – NOTICE**

Notice shall be deemed adequate when given in any manner reasonably calculated to inform the board member of the time, place, and nature of the special meeting to be held.

#### **SECTION VIII – RECALL**

Any elected member of the Association Board of Directors who is charged with malfeasance, misfeasance, or nonfeasance of duty may (a) upon receipt by the board of directors, a petition signed by twenty percent (20%) of the qualified electors, or (b) upon the majority vote of the board of directors, be subject to a ballot for recall. The ballot shall be prepared by the UniServ Director and delivered to all qualified electors within ten (10) regularly scheduled school days of the receipt of the petition or the vote of the board of directors. The office shall be declared vacant following a vote in which two-thirds (2/3) of those voting favor the recall of said officer.

### **ARTICLE 4 – ASSOCIATION REPRESENTATIVE COUNCIL**

#### **SECTION I – COMPOSITION**

The AR Council shall be made up of elected Association representatives and members of the board of directors.

#### **SECTION II – POWERS AND DUTIES OF THE AR COUNCIL**

The AR Council shall be empowered to take action by a majority vote on all matters affecting Association policy and to refer major issues to the membership for a vote.

#### **SECTION III – VOTING**

Votes in the AR Council shall be based on one vote for each AR Council member. In the event the elected AR cannot attend, a voting alternate may attend.

#### **SECTION IV – MEETINGS**

The AR Council shall meet each month during the school year and at other times when called by the board of directors or the president upon notice. Members of the AR Council may call a special meeting by submitting a petition to the board of directors signed by ten percent (10%) of the AR Council. A majority of the ARs shall constitute a quorum.

#### **SECTION V – NOTICE**

Notice shall be deemed adequate when given in any manner reasonably calculated to inform the ARs of the time, place and nature of the special meeting to be held.

#### **SECTION VI – VISITORS**

Association members in good standing may attend AR Council meetings without power of voting. The ARs, the board of directors, or the president may invite non-members. All visitors may speak to the AR Council when recognized by the chair. Visitors shall sit apart at the request of the chair.

### **ARTICLE 5 – ASSOCIATION REPRESENTATIVES**

## **SECTION I – QUALIFICATIONS**

Association Representatives must be current members of the Association.

## **SECTION II – NUMBER**

Worksites shall be represented by at least one elected representative. Worksites shall have one (1) certified and one (1) ESP representative. Worksites with more than 25 members shall be allowed an additional representative for each additional 25 members. At worksites having more than one AR, a building chair may be selected. The number of ARs per building shall be adjusted immediately to conform to the provisions of this article.

## **SECTION III – SELECTION AND TERM**

Election of ARs and alternates shall be conducted in April of each year. The term of office shall be for one year beginning on June 1 of each year. There shall be no limit to the number of consecutive terms. All newly elected ARs are expected to attend the May AR Council meeting with the privileges of visitor status.

## **SECTION IV – ALTERNATES**

Each school shall have an elected AR alternate whenever possible, whose duty it shall be to assist the AR in the school and to attend at least two meetings of the AR Council during the school year, one of which should be the first regular fall meeting.

## **SECTION V – DUTIES**

- A. The AR shall attend all meetings of the AR Council. If an AR, for due cause, cannot attend a Council meeting, he/she shall send his/her elected alternate to represent him/her. In case neither the AR nor the alternate can attend and a replacement cannot be found, the AR shall notify the president of his/her absence.
- B. The AR shall communicate with members in their respective buildings concerning activities of the United Education Profession and shall reflect in the AR Council the views of those he/she represents. ARs and their alternates shall participate in the membership campaign. The AR shall perform other duties as specified in the Standing Rules.

## **SECTION VI – REMOVAL**

An AR who is considered by the AR Council to be guilty of nonfeasance, malfeasance, or misfeasance may be removed from the position by two-thirds (2/3) vote of the AR Council or a majority vote of the members he/she represents.

## **ARTICLE 6 – UNISERV COUNCIL**

### **SECTION I – COMPOSITION**

Membership of the UniServ Council shall be established in accordance with the provisions of the by-laws of the Boulder/Westminster UniServ. Those members elected (2 certified and 2 ESP) to the UniServ Council by the Association Board of Directors shall serve for a term of two years.

### **SECTION II – POWERS AND DUTIES OF THE ASSOCIATION REPRESENTATIVES**

The UniServ Council and its members shall have the powers as described in the by-laws of the Boulder/Westminster UniServ. The Association Representatives on the UniServ Council shall reflect the views of the Association's Board of Directors.

### **SECTION III – REPORTING**

The WEA President shall report on all policies of the UniServ Council to the Association Board of Directors and upon request, to the AR Council as provided in the Standing Rules.

## **ARTICLE 7 – COMMITTEES**

### **SECTION I – ESTABLISHMENT**

The number, organization and function of the committees of the Association shall be determined by the board of directors or the AR Council, except as outlined in the By-laws and Standing Rules.

**SECTION II – PROGRAMS AND ACTIVITIES**

The activities and programs of the committees shall be subject to policies set forth by the AR Council and to specific interpretation of these policies as may be from time to time developed by the board of directors. Committee expenses greater than \$1000.00 shall be approved by the board of directors in advance of expenditure.

**SECTION III – SELECTION OF COMMITTEE REPRESENTATIVES**

The president of the Association shall be responsible for appointing representatives who shall serve as liaison between the Association and the state and national associations in those areas stated in the Standing Rules.

**SECTION IV – SELECTION OF COMMITTEE MEMBERS**

The committee chair shall be responsible for selecting committee members, subject to approval of the board of directors, except as otherwise provided in the By-laws and Standing Rules. An effort shall be made to provide continuity on each committee.

**SECTION V – REPORTING**

Committee chairs shall be expected to attend AR Council meetings and to report their recommendations to the president and to the AR Council as outlined in the Standing Rules.

**ARTICLE 8 – FINANCE**

**SECTION I – FISCAL YEAR**

The fiscal year of the Association shall be from September 1 to August 31.

**SECTION II – GENERAL FUND**

The General Fund shall be the operating fund of the Association. All monies collected by the Association, unless for a specific purpose as designated by the AR Council, shall be credited to the General Fund.

**SECTION III – CONTINGENCY FUND**

Assets, beyond current operating expenses, in the General Fund shall be invested. The treasurer, together with the president, shall determine when sufficient assets exist and make a recommendation to the board of directors, which may, by a majority vote, authorize that investment.

**SECTION IV – ANNUAL BUDGET**

The annual budget shall be prepared by the president, with the assistance of the UniServ Director, the treasurer and the Administrative Assistant, and it shall be submitted to the board of directors and the AR Council. A majority vote at a meeting of the board of directors and at a meeting of the AR Council shall be necessary for approval of the budget.

**SECTION V – FINANCIAL REPORTS**

The treasurer of the Association shall present monthly financial statements to the AR Council for approval. All financial records of the Association shall be open to inspection by any member of the Association upon request.

**SECTION VI – BORROWING MONEY**

The Association, acting by and through its board of directors, and with the approval of the AR Council, shall have the authority to borrow money and to mortgage or pledge any or all of its holdings as security for the repayment.

**SECTION VII – DISSOLUTION**

In the event of the dissolution or termination of the Westminster Education Association, the Association Board of Directors shall, after paying all the liabilities of the Association, dispose of all remaining assets of the Association, unless such disposition is prescribed by contract or by law, in such manner as the board shall determine, provided that such assets shall be used exclusively for the objectives and purposes of the WEA. Any such assets not so disposed of shall be sold or otherwise converted to cash and distributed to the WEA members participating in the Association at the time of dissolution or

termination. Each WEA member shall receive a proportion to the class of membership held upon the day of dissolution or termination of the Association on that day.

**ARTICLE 9 – BY-LAWS AND STANDING RULES COMMITTEE**

**SECTION I – COMPOSITION**

The By-laws and Standing Rules Committee shall consist of three members of the WEA board of directors appointed by the president with the vice-presidents serving as co-chairs.

**SECTION II – DUTIES**

- A. This committee shall review the By-laws and Standing Rules every two years, and shall recommend revisions to the AR Council.
- B. This committee shall render advisory opinions involving interpretation of the By-laws and Standing Rules when requested to do so by the AR Council or the Board of Directors.
- C. This committee, at its discretion, may render advisory opinions as to whether any action or policy proposed by the Association is in accordance with the By-laws and Standing Rules.
- D. This committee shall review all proposed amendments and put them in proper form and submit them to the AR Council for action as outlined in the By-laws and Standing Rules.

**ARTICLE 10 – RULES OF ORDER**

The Association shall operate according to the most current edition of Robert’s Rules of Order, unless they conflict with provisions in these By-laws and/or Standing Rules, in which case the By-laws and Standing Rules shall prevail. The president shall determine the need for a parliamentarian and appoint such person to serve when necessary.

**ARTICLE 11 – AMENDMENTS**

**SECTION I – AMENDMENTS TO THE BY-LAWS**

Amendments must have been introduced at a regular meeting of the AR Council and presented to the board of directors for recommendation. Copies of the proposed amendments, together with the recommendations of the board of directors shall be distributed to the members of the AR Council for vote thirty (30) days prior to the vote on the proposed amendments. Amendments to these By-laws may be adopted by a two-thirds (2/3) vote of those Association members voting by secret ballot.

**SECTION II – AMENDMENTS TO THE STANDING RULES**

Amendments to the Standing Rules may be made at a meeting of the AR Council (a) without notice, if passed by a two-thirds (2/3) roll call vote or (b) by a majority roll call vote provided that the proposed change shall have been presented in writing at the preceding AR meeting.

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date