

## Bylaws Committee

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# Association Bylaws

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## **ARTICLE I – ASSOCIATION**

Section 1. The name of the Association shall be the Lexington Education Association Inc., hereafter LEA.

## **ARTICLE II – PURPOSES**

Section 1. To promote a spirit of fellowship, collegiality and cooperation among members of the Association.

Section 2. To foster unity and protect the interests and rights of all members.

Section 3. To promote ethical standards and professional practices among the total membership

Section 4. To enable its members to speak with a common voice on matters concerning the profession

Section 5. To promote the professional and educational interests of the membership in relations with the community in order to achieve the optimum conditions for education in Lexington

Section 6. To represent the membership of the Lexington Public Schools in negotiations with the Lexington School Committee as provided under Chapter 150E of the Acts of the Commonwealth of Massachusetts of 1974, as amended  
Section 7. To represent the membership for such other purposes as permissible under the law and incidental to the purpose set forth here

### **ARTICLE III – AFFILIATION**

Section 1. The LEA shall be affiliated with the Massachusetts Teachers Association (MTA), and the National Education Association (NEA).

Section 2. No person shall be admitted to or continue to be an active member in the LEA who is not also a member of the MTA and the NEA.

Section 3. Annually, prior to July 1, the LEA shall submit to the MTA, a list of its officers and Executive Board members and their addresses. The names and addresses of all members, a current copy of the LEA Bylaws, any other governing instruments, and a copy of the most recently ratified contract, by November 15.

### **ARTICLE IV – MEMBERSHIP**

Section 1. Membership

A. Active membership in the LEA is open to any employee of the Lexington Public Schools employed in a position that is represented by the Association or which the Association seeks to represent.

I. The LEA currently consists of the following units:

- Unit A: certified/licensed professional staff
- Unit C: Instructional Assistants and Student Support Instructors
- Tech Unit: techs
- Unit D: school support personnel, administrative assistants, secretaries, clerks, registrars, bookkeepers and, in general clerical and office positions.

B. An active member is entitled to vote, to hold office, and to receive all services and benefits of the LEA

C. Active membership shall become effective upon full cash payment of dues on or before November 1 or by enrollment as a continuous active member by authorization of payroll deduction of dues to LEA/MTA/NEA.

D. Active membership shall be continued in the LEA each year unless, the member gives at least sixty (60 days) notice in writing to the Membership Coordinator of the LEA requesting withdrawal of his/her membership.

- I. If the member is on payroll deduction such notification must also be given to payroll by the Treasurer.
- II. In the event that a member leaves the employ of the Lexington School System before the end of a school year, the balance of their dues must be paid.

E. For purposes of interpretation or application of these bylaws, members with multiple building assignments shall be construed as being assigned to the building where they spend the majority of time.

F. In order to receive any services, consultations, or legal representation, members on leave must maintain membership in LEA/MTA/NEA and pay appropriate dues to the LEA by November 1st of any school year.

G. Membership shall be open to all personal employed as full-time and regular part-time personal.

- I. Each unit level representatives and building-based representatives will assist the President, Treasurer and Membership Coordinator of the LEA to ensure accurate and complete membership data for their unit.

#### Section 5: Honorary Membership

a. Honorary membership in the LEA shall be accorded to any person who subscribes to the goals and purposes of the Association and whose honorary membership has been approved by a majority vote of the LEA Executive Board.

b. Honorary members shall have all the privileges of active members except for voting and holding office.

c. Honorary members shall be exempt from the payment of LEA dues.

### **ARTICLE V – OFFICERS AND THEIR DUTIES**

#### Section 1. Officers

A. The elected officers of the LEA shall be President, Vice-President, Treasurer, and Secretary.

- I. Only members of the LEA can run for office within the LEA.
- II. Only members of the LEA can vote in LEA elections.

B. Appointed Positions shall be Membership Coordinator, Webmaster, Bookkeeper and Administrative Assistant.

I. These operational positions are filled by the President nominating candidates and the Eboard voting on the appointments.

- To be approved a nomination must receive a 3/4 vote to approve the nomination.
  - 9/12 voting members equals 3/4

II. Only Members of the LEA can be appointed to positions within the LEA.

## Section 2. Powers & Responsibilities

A. The President shall:

- I. Preside over meetings of the Executive Board, the Representative Council and the General membership.
- II. Prepare a calendar of Executive Board Meetings.
- III. Prepare agendas for all regularly scheduled meetings of the Executive Board.
- IV. Appoint the Chairpersons and members of the standing committees and special committees.
  - The full Eboard must vote.
  - To be approved a nomination must receive a 3/4 vote to approve the nomination.
    - 9/12 voting members equals 3/4
- V. Serve as a delegate to the Massachusetts Teachers Association (MTA) Annual Meeting and as a delegate to the National Education Association (NEA) Representative Assembly. If the President does not attend either or both meetings, an additional delegate will be elected.
- VI. Represent the Association before the public and all stakeholders, either personally or through delegates, and shall perform all other functions usually attributed to this office.
- VII. Inform the members of the policies, programs, services, and accomplishments of the Association. Publish the names of the candidates for elective office together with information about each candidate no later than two weeks preceding the date of the election.
- VIII. Develop Association positions on all matters pertaining to the rights of Association members especially academic freedom, professional and personal leaves, administrative discipline and dismissal, and grievance procedure; and shall compile data to support such positions in negotiations.
- IX. Develop a program orientation to an LEA Code of Ethics for the members

of the Association. It shall advise the General Membership on the implementation procedures for the NEA Code of Ethics.

X. Make recommendations to the Executive Board in cases of grievances, censure, suspension, expulsion of Members, or other related matters, prior to committing any Association resources (i.e., financial).

XI. The President shall be the chair of the Negotiations Committee.

B. The Vice-President shall:

I. Temporarily assume the duties and responsibilities of the President should said office become vacant.

II. Be a member ex-officio of the Negotiations Committee.

III. Fulfill other duties as assigned by the President.

IV. Chair other committees as designated by the President.

V. Facilitate all political action activities for the LEA.

C. The Secretary shall:

I. Keep accurate minutes of all meetings of the Executive Board, Representative Council and of any General Membership meetings.

II. Make available, upon request of any member of the Association, minutes of each Executive Board, Representative Council and of any General Membership meeting.

III. Chair the Communications Committee.

IV. Facilitate the communications process to include the LEA Newsletter, social media presence and general communications to membership.

V. Coordinate with the Webmaster regarding communications issues.

VI. Be a member ex-officio of the Negotiations Committee.

VII. Fulfill other duties as assigned by the President.

D. The Treasurer shall:

I. Hold the funds of the Association and disburse them upon authorization of the Executive Board.

II. Communicate regularly with the Business Office staff regarding deductions for dues.

III. In coordination with the Membership Coordinator, maintain a

- continually updated roll of the members.
- IV. Oversee the activities of the Bookkeeper.
- V. Prepare a budget for the next fiscal year to be presented at the last Executive Board meeting of the school year.
- VI. Inform the President of all disbursements
- VII. Be bonded by the Association.
- VIII. Coordinate with the Membership Coordinator regarding membership issues.
- IX. Be a member ex-officio of the Negotiations Committee.
- XI. Fulfill other duties as assigned by the President

E. The PR&R Chair shall:

- I. Be elected by, and from, the PR & R Committee
- II. This position is responsible for facilitating the committee activities
- III. Meet as needed to make decisions on matters brought before the committee.

Section 3. Meetings

A. Executive Board

Meetings:

- I. The officers shall determine the dates of the monthly E-board meetings for the upcoming year. Any changes will be communicated to members before September of each school year.
- II. A special or emergency meeting of the Executive Board may be called by the President or upon a written request of nine (9) members of the Executive Board.
- III. Nine (9) voting members of the Executive Board to include the President, or his/her designee, shall constitute a quorum for the transaction of business of the Executive Board.

B. General Membership

Meetings:

- I. The Annual Meeting of the general membership shall be held on the same day as the May Executive Board Meeting.

- II. An agenda will be sent to all members prior to the meeting.
- III. Ten percent (10%) of members of the LEA plus the President, or their designee, shall constitute a quorum for the transaction of business at meetings of the general membership.

C. Special Meetings of the General Membership:

- I. The President may call special General Meetings for purposes including, but not limited to, budget presentations and annual reports from Executive Board members.
- II. Special meetings of the general membership may be held at the call of the President or upon written request of nine (9) members of the Executive Board. Business to come before special meetings of the general membership must be stated in the call, which shall be sent in writing to each faculty representative for distribution to each member at least forty-eight (48) business hours prior to the meeting. Business shall be confined to these items.
- III. Upon written petition to the President, five (5) percent of the active members may request a meeting of the membership. Such meetings must take place within fifteen (15) school days after the President receives the written petition.
- IV. Ten percent (10%) of members of the LEA plus the President, or his/her designee, shall constitute a quorum for the transaction of business at special meetings of the general membership.
- V. Executive Board members may call general meetings of their constituencies.
  - The Unit C Rep may call general meetings of Unit C members.
  - The Tech rep may call general meetings of Tech members.
  - The Unit D member may call general meetings of Unit D members.
  - The Unit A Rep(s) may call meetings of Unit A
  - The LEA President or his/her designee will attend such meetings.

Section 4: Terms and Succession

- A. The President, Vice-President, Secretary, and Treasurer shall serve for two years and may be re-elected without an intervening term.
- B. The newly elected officers shall assume their duties on the first school day in June in the calendar year of their election.
- C. Whenever an office of the Executive Board becomes vacant, the vacancy shall be filled by the governing procedures within 30 days. (Article VII,



Section 2.D)

D. The position of officer, committee member and/or appointed position in the LEA shall be declared vacant if his/her dues are in arrears beyond November 1st of any calendar year.

I. The Vice-President will take up the responsibilities of the President if the President steps aside.

E. Term limits on elected positions.

I. There shall be a limit of 4 consecutive two-year terms for all officer positions.

II. There shall be a limit of 6 two-year terms for individuals serving in multiple officer positions.

III. If someone is elected to a partial term then the term limit shall be the partial term that they were elected for and 4 two-year terms for all officer positions.

F. Upon a written petition to the Chairperson of the Nominations and Elections Committee by twenty-five (25) percent of the active membership an officer may be removed from office by a two-thirds (2/3) vote of the membership.

## **ARTICLE VI – APPOINTED POSITIONS AND THEIR DUTIES**

### Section 1. Appointed Positions

- A. Membership Coordinator
- B. Webmaster
- C. Bookkeeper
- D. Administrative Assistant

### Section 2. Appointment Process

- A. All appointments should be from the LEA membership ranks unless a particular skill set is unavailable within the LEA membership.
- B. The President shall solicit candidates
- C. The Executive Board shall approve or disapprove any candidates put forth by the President.

### Section 3. Powers & Responsibilities

- A. The Membership Coordinator shall:
  - I. Organize and conduct unified membership enrollment among members.

II. In coordination with the Treasurer, maintain a continually updated roll of the members.

- This includes communicating information Article IV, Section D.I

III. Present the benefits of membership at New Hire Orientation.

IV. Provide the Executive Board with a current year list of members at, or before, the November meeting annually.

V. Chair the Membership and New Member Committees.

VI. Coordinate with the Treasurer regarding membership issues.

VII. Fulfill other duties as assigned by the President.

B. The Webmaster shall:

I. Maintain the LEA website.

II. Maintain and manage the LEA social media presence.

- Presence is defined as an ACTIVE presence.

III. Be a member of the Communications Committee.

C. The Bookkeeper shall:

I. Maintain LEA financial records using best practices in accounting.

II. Keep accurate accounts of receipts and disbursements, and shall Prepare the report to be presented to the Executive Board.

III. Prepare an annual financial statement for publication to members as directed by the Executive Board and be responsible for all legal financial forms.

IV. Manage, prepare and execute payroll and any related processes.

V. Fulfill other duties as assigned by the Treasurer.

D. The Administrative Assistant shall:

I. Maintain files.

II. Assist with correspondence.

III. Assist the Secretary as directed by the President.

IV. Fulfill other duties as assigned by the President.

## **ARTICLE VII – Boards, Councils and Committees**

### Section 1. Composition of the Executive Board

A. There shall be an Executive Board consisting of the President, Vice-President, Secretary, Treasurer, Membership Coordinator, Webmaster, (Co)-PR&R Chairperson(s), two Unit A representatives from the Elementary Level, one Unit A representative from the Middle School level, one Unit A representative from the High School level, the Unit C Rep, Tech Rep, and Unit D Rep.

I. The President shall chair the Executive Board

B. Within policies established in the bylaws approved by the general membership, the Executive Board shall be responsible for the management of the Association and shall carry out policies of the Association.

C. It shall report its transactions to the General Membership and suggest policies for consideration by them.

D. With regard to finances, the Executive Board shall:

Review all expenditures of, including stipends for, the Association.

E. A majority of the voting members of the Executive Board (9/12) shall constitute a quorum necessary to transact business.

F. Executive Board:

- The Voting members of the Executive Board shall consist of the officers and the elected unit level representatives (12). A 9/12 majority, to include the President or Vice-President, of the voting members of the Executive Board shall constitute a quorum necessary to transact Executive Board business.

### Section 2. Duties of the Executive Board

A. The Executive Board shall be responsible for the management of the LEA

B. The Executive Board shall be responsible for setting the dues annually.

C. The Executive Board shall be the sole policy – making body of the LEA

D. The Executive Board shall personally, or through appointed designees, represent the LEA in all negotiations with the Lexington Public Schools and/or its agents in all

matters relating to the conditions of employment as defined in Chapter 150E of the Acts of the Commonwealth of Massachusetts of 1974, as amended.

E. The Executive Board shall instruct the Nominations and Elections Committee to hold a special election to fill vacancies which may occur in any elected office during that term of office, except for the office of President (as outlined in Article V, Section 4.D). In the event no candidate comes forward, the Executive Board will appoint a member to fill the position until the next general election.

F. The Executive Board, by a three quarters vote (9/12) of its voting membership, may admonish, censure, suspend or expel any member of the Association for a violation of the MTA/NEA Code of Ethics. The member shall have the right to appeal to the General Membership and be afforded a hearing at a general meeting of the Association. The decision of the Executive Board may be overturned by a two-thirds (2/3) vote of the membership.

G. The Board shall be responsible for scholarship fund-raising activities and for the selection of recipients.

H. The Board shall be responsible for appropriate recognition of retiring members of the LEA.

I. The Board shall meet monthly.

J. The Executive Board shall have all power not expressly delegated to the Officers.

### Section 3. Representative Council

- A. On a district-wide basis, membership will have one representative for every twenty-five (25) active members or major fraction thereof There shall also be one (1) new member representative for the district.
  - o A new member is defined as someone within their first 3 years of service.
  - o A new member representative will be someone within their first 3 years of service.
- B. There shall be at least one faculty representative from each school.
- C. The President shall chair the Representative Council.
- D. The purpose of the Representative Council is to bring forth concerns from membership and to bring back Executive Board policies and initiatives to membership.
- E. The Representative Council will meet monthly.
- F. A majority of the members of the Rep Council shall constitute a quorum (2/3rds) necessary to transact any business put before the council.
- G. After a representative has missed three (3) Representative Council Meetings in

a school year, the Council may declare the seat vacant. The vacancy shall be filled by election by constituents of the building with the vacancy.

- H. Any member of the Association who is not a member of the Representative Council may attend its meetings and receive permission to speak, at the discretion of the presiding officer, but may not vote on council business.

### Section 3. Finances

- A. The proposed LEA budget for the next fiscal year, approved by the Executive Board, shall be submitted to the Rep Council by May 25th.
- B. By June 10th, the proposed LEA budget will be voted by the Rep Council either by secret ballot or at a Rep Council meeting. A simple majority of the reps is needed to pass the budget.
- C. The Executive Board will be responsible for overseeing the prudent deposit, withdrawal and/or investing of the LEA funds. Transferring of funds, opening and/or closing of accounts must have prior approval of the Executive Board.
- D. The Association's funds shall be spent in the interest of the membership and in compliance with the goals and objectives of the Association.
- E. Any expenditure using the Association's reserves whether principle or interest must be approved by two-thirds (2/3) vote of the Executive Board's voting members. The membership shall receive written notice of such an impending vote of the Executive Board 10 days prior to the vote.

### Section 4. Committees

- A. The President, with the approval of the Executive Board, shall appoint members of the following committees: Elections, Scholarship, and other such committees as needed.
- B. Other Committees are chaired by various officers as laid out in the Bylaws in Article V, Section 2 of the LEA Bylaws.
- C. Standing Committees
- i. Social Committee:
    - The Social Committee shall meet to plan events that develop a sense of community within the LEA membership.
    - Coordinates and executes the the end of year event (Strawberry Festival) for retirees.
  - ii. Scholarship Committee:

- The Scholarship Committee shall meet to confer on names of applicants and shall submit these names and the amounts of money needed to the Executive Board for final approval.
  - iii. Nominations and Elections Committee:
    - Manages, maintains and improves the nomination and elections processes.
- D. Expenses for these meetings or conventions as preapproved by the Executive Board shall be borne by the Association.

## **ARTICLE VIII – NOMINATIONS AND ELECTIONS**

### Section 1. Composition of the Nominations and Elections Committee

A. The President shall nominate and the Executive Board shall appoint, upon a  $\frac{3}{4}$  vote, the chairperson of the Nominations and Elections Committee for a two-year term.

I. 9/12 voting members equals 3/4

B. The Nominations and Elections Committee will be composed of those appointed by the chairperson.

C. No member of the Nominations and Elections Committee may be a member of the Executive Board or a candidate in the election.

### Section 2. Duties of the Nominations and Elections Committee

A. The Committee shall be responsible for securing candidates for Executive Board positions except for PR&R Chairperson (see Article V, Section 2.I.I).

B. The Committee shall be responsible for securing candidates for delegates to the MTA and NEA Annual Meetings.

C. Any active member in good standing of the Association may submit his/her name for any office on the Executive Board to the Chairperson of the Nominations and Elections Committee so that it will appear on the ballot the day of the election. The candidates must submit their names at least fifteen (15) working days before the election.

I. The process for submitting names will be determined by the Nominations and Elections Committee and communicated to the membership twenty-five (25) working days before the election.

D. Candidates for the each unit must be active members in good standing of the LEA as well as members of their respective constituencies and will be elected only by active members in good standing of their respective constituencies.

E. The names of the candidates for elective offices with information about each candidate shall be communicated in writing to the membership no later than ten (10) working days before election.

### Section 3. Elections

A. The Nominations and Elections Committee shall be responsible for conducting general elections on or about April 15 except where otherwise specified in these Bylaws.

B. PR&R Committee Representatives and Building Representatives shall be elected by their respective constituencies (the LEA members in their buildings) on or about April 15.

I. The incumbent Building Representative, unless not a candidate for reelection, shall secure a volunteer who is not a candidate to conduct the nomination and election procedures for these two positions.

C. The Nominations and Elections Committee shall determine procedures for special elections to fill vacated positions of officers other than President. (See Article V Section 4C and 4D.)

I. Special elections shall be held within thirty (30) days of the vacancy.

D. A candidate for elective office must receive a majority of votes cast for that office. In the event no candidate receives a majority, a special election will be held between the two candidates with the highest vote totals.

E. All Candidates for LEA office will have the right to use the LEA list-serve for two (2) campaign electronic messages.

F. Ratification votes will be the responsibility of the Nominations and Elections Committee. The Executive Board will set the date of the ratification vote.

G. All elections shall be by secret ballot.

H. The Nominations and Elections Committee shall determine procedures for:

I. Absentee ballots

II. Electronic voting

I. The Executive Board, using a 3/4 vote, shall approve procedures for:

III. Absentee ballots

IV. Electronic voting

## **ARTICLE IX – QUORUM**

Section 1. The quorum of a mass meeting is the number present at the time, as they constitute the membership at that time. The quorum of a body of delegates, unless the bylaws provide for a smaller quorum, is a majority of the number enrolled as attending the convention, not those appointed.

Section 2. Ten (10) percent of the active membership from each level (elementary, middle, and high school) shall represent a quorum. The President will maintain membership count by levels and determine the 10% quorum count by levels prior to every scheduled meeting.

## **ARTICLE X – RULES OF PROCEDURE**

Section 1. Robert's Rules of Order shall be the parliamentary authority for the LEA Parliamentarian if a Parliamentarian is deemed necessary.

Section 2. The President shall appoint a Parliamentarian for each general meeting of the LEA membership as needed.

## **ARTICLE XI – AMENDMENTS TO THESE BYLAWS**

Section 1. The membership shall be notified in writing at least five (5) school days before a vote is taken on proposed amendment(s). See Article V, Section 3, C.II and 3.C.III.

Section 2. A vote on the proposed amendment(s) must be taken at a meeting of the Association at which there is a quorum. To pass, the amendment(s) must receive approval of two thirds (2/3) of the members present and voting. Bylaws may also be amended by secret ballot by a two-thirds (2/3) vote of the membership, provided the total number of votes meet the Quorum requirement.

Section 3. Amendments to these Bylaws shall become effective immediately unless indicated otherwise.

Section 4. A copy of the current Bylaws shall be made available via the LEA website.

Section 5. These Bylaws shall be reviewed annually by the Bylaws Committee.



## **ARTICLE XII – COMPENSATION**

Section 1. There shall be compensation for all elected and appointed positions. These shall be voted by the Representative Council as part of the annual budget vote and shall be for the current term of service.

Section 2. In the event the individual resigns or is removed from office, their stipend shall be prorated based on time served.

## **ARTICLE XIII – RIGHTS OF THE MEMBERSHIP**

Active Members of the Association may challenge any official vote of the Executive Board. To challenge any official vote of the Executive Board, the challenging member must produce a petition stating the objections and bearing the signatures of not less than twenty-five (25) percent of active members. To overturn an official vote of the Executive Board requires a majority vote of the membership by ballot, no later than two (2) weeks after the petition has been presented to the Executive Board. The Nominations and Elections Committee will conduct the vote.

## **ARTICLE XIV – DISSOLUTION AND LIQUIDATION OF THE ORGANIZATION**

In the event of the dissolution and liquidation of the Corporation, and prior to the completion thereof, all of the assets, property, income, and other funds of the Corporation, not owned or held upon a condition requiring return, transfer or conveyance by reason of dissolution, will be divided equally among the active membership.