UNITING OUR MEMBERS AND THE NATION

Empowering leaders, educating students, strengthening communities

Are Your Governing Documents Actually Governing Your Organization?

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This presentation addresses...

• NEA Strategic Goal 1 (Strong Affiliates for Educator Voice and Empowerment)

• NEA Core Function 6 (Governance)
  – Priority 1: Governance for the 21st Century
  – Priority 2: Committee and Council Coordination

• NEA Competency: Governance & Leadership
  – Levels 2 & 3

• NEA Competency Themes
  – Effectively executes governance and leadership responsibilities
  – Advances the organization by internalizing its mission, vision, and core values
  – Sets strategic objectives to guide long-term goals
By the end of this session, YWBAT

- Review & re-work your local/state organization’s bylaws as needed
Warmup

• Explain the purpose of each of the following documents in our national/state/local union
  – Constitution
  – Bylaws
  – Standing Rules
Warmup- Answers

- **Constitution**
  - The fundamental principles and overall structure of the organization

- **Bylaws**
  - The day-to-day functional rules by which an organization abides

- **Standing Rules**
  - The rules of procedure for organizational meetings
What's wrong with this?

Section 4. Qualifications for Office

All members of the Board of Directors shall be Active, Substitute/HHT or Retired members of the MCEA, MSTA, and NEA.

--Montgomery County Education Association Bylaws, as of 1/5/18

Name was changed in 2008 to Maryland State EDUCATION Association
When was the last time your governing documents were amended?
Ways to approach your bylaws

- “If it ain’t broke, don’t fix it”
- “It’s broken, but it’s too much effort to fix it”
- “It ain’t broken, but I’m going to fix it anyway”
- “We have bylaws?”

- “I don’t know if it’s broken, but I’m going to have a committee occasionally look it over to make sure it isn’t broken, and if it is broken, they should try to fix it.”
How to keep things up-to-date

1. Review the bylaws (either by yourself as a leader of the organization or on a committee)--at least annually
   a. Is this how the organization ACTUALLY works?
   b. Is this how the organization SHOULD work?
   c. Are there any typos/grammatical errors?

2. Follow the directions on the flowchart on the next page
ARE YOUR GOVERNING DOCUMENTS GOVERNING YOUR ORGANIZATION?
HOW TO AMEND YOUR BYLAWS: A HANDY FLOW CHART

**STEP 1: REVIEW**

- **Is this how the organization ACTUALLY works?**
  - Yes → **Is this how the organization SHOULD work?**
    - Yes → **Are there any major spelling or grammatical errors?**
      - Yes → **Proofread!**
      - No → **Does this rise to the level of truly needing a change in the Bylaws?**
    - No → **What do we really do?**
      - Yes → **Write a draft of the Bylaws change**
        - Make sure the idea agrees with NEA/State/Local sensibilities
        - Get several people to proofread it
        - Run it past legal counsel (especially if there are questions of implications)
      - No → **Something very different**
        - **Submit to the appropriate person/group**
          - Follow the directions in the bylaws for amending the bylaws
          - **Debate & Vote!**
            - Follow the typical rules of procedure your organization uses for debate and voting.
            - Bylaws will usually give a threshold required for voting on and passing amendments to the bylaws
            - **Did it pass?**
              - Yes → **Discuss the issue with those on both sides and see if you can come to a compromise.**
              - No → **Go back to Step 1.**
Bylaw Amendment 2

Article V (Board of Directors)
Section 4. Qualifications for Office

a. All members of the Board of Directors shall be Active, Substitute/HHT or Retired members of the MCEA, MSTA MSEA, and NEA

b. A member of the Board of Directors can only be elected to a constituency-specific seat (i.e. a non at-large seat) if that member is a member of the chapter within that constituency.

Rationale: The reason we have constituency-based seats is to ensure representation from across our entire membership. Otherwise, it would be possible for people from one constituency group to “take over” the Board of Directors. Every constituency group has at least one member on the Board of Directors, and any member may run for any of the At-Large seats.
1. Don’t try to do it alone
2. Don’t take “they do it like this in another local/state” as the only reason to make the change. Your organization is different and may have different needs.
3. Think through unintended consequences of your change
4. Make sure your rationale is sound
Tips

5. Let the Board of Directors and others in leadership know you are going to make this change BEFORE presenting it officially.

6. Bylaw changes aren’t done in a day...it’s OK for the process to take months.
Your turn

- Use the handout to help guide your thoughts.
- Use the other people at your table as resources
What did we come up with?

Share out
The content from this session can be used in the following ways in your current position/role:

– Think critically about your governing documents
– Develop new ideas about how your state/local can be run & make them a permanent part of the structure
– Work through the potentially problematic or outdated parts of your governing documents
Closing (Final slide)

• Please complete the evaluation for this breakout session by using the NEA Summit Mobile APP! – Please remember to build in 5 minutes at the end of your session to allow time for the attendees to complete the evaluation for your session.

• Please visit the Leadership Development Resources website at www.nea.org/leadershipdevelopment