

The Quincy Education Association, Inc.

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Bylaws of the Quincy Education Association
As amended, May 2006

Bylaws Index

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ARTICLE I: Name

The name of the organization shall be the Quincy Education Association, Inc., hereinafter referred to as the QEA.

ARTICLE II: Purpose

The purposes for which this Association exists are as follows:

- A. To represent members of the QEA in all negotiations with the Quincy Committee.
- B. To participate actively in the development of a better educational system.
- C. To unify and strengthen the teaching profession.
- D. To promote a better understanding and appreciation of education in the community.

ARTICLE III: Members

Section 1: There shall be two classes of members, as follows:

- A. Active members shall be those who are engaged in work of a professional nature in the field of education in the Quincy Public Schools who are not excluded from representation by the Association under Collective Bargaining, and who have paid their dues as of December 1st.
- B. A released-time President shall be considered an active member.
- C. Honorary membership shall be conferred by a two-thirds (2/3) vote of the Representative Council or the Association at a General Meeting. Such members shall pay no dues, vote, or hold office in the QEA.

Section 2:

Adherence to the Code of Ethics of the education profession as promulgated by the National Education Association (hereinafter referred to as the NEA), and the Massachusetts Teachers Association (hereinafter referred to as the MTA), and from time to time amended, shall be a condition of the continuing membership.

ARTICLE IV: Dues

Section 1:

The dues of active members, which shall include the dues of the MTA and the NEA, shall be as determined by the budget voted by the Association at the Annual Meeting.

Section 2:

All dues shall be paid no later than November 30th, unless the member is enrolled on payroll deductions. Dues and agency fees not paid by November 30th on cash basis will be subject to interest of 1.5% per month, until paid.

Section 3:

QEA dues for persons eligible for membership on or after January 1 shall be one-half (1/2) of the regular dues. Teachers leaving their position on or before January 31 shall be assessed one-half (1/2) of the QEA dues.

Section 4:

Any employee who is not excluded from representation by the Association under Collective Bargaining and is on leave of absence with salary, or sabbatical leave with salary, shall be required to pay active member's dues or go on agency fee.

Section 5:

The fiscal year shall be from July 1 through June 30 of the following year.

ARTICLE V: Officers and Their Duties

Section 1:

The officers shall be a President, a Vice President, a Secretary, a Treasurer, and a Membership Chair.

Section 2: The President shall:

- A. Preside at all meetings of the Association, Executive Board and Representative Council.
- B. Appoint the chairpersons of all-standing committees and special committees, subject to the approval of the Executive Board.
- C. Either be, or appoint a designee, to be ex-officio member of all committees except the Elections Committee.
- D. Be the Executive Officer of the Association.
- E. Submit an annual report for the permanent records of the QEA.
- F. Represent the QEA before the public, either personally or through delegates.
- G. Perform all other functions usually attributed to this office.
- H. Be chairperson of the delegation to the Annual Meeting of Delegates of the MTA.
- I. Appoint three (3) members to the Accreditation Board, one (1) to be the President or his/her designee, and the two (2) others shall represent the remaining levels. The Executive Board shall approve all appointments.
- J. Be a delegate to the Annual Meeting of Delegates of the MTA.
- K. Be a delegate to the NEA Representative Assembly in the summer following the term of office.
- L. Represent the QEA at School Committee meetings in person or by delegate.

Section 3: The Vice President shall:

- A. Assume all duties of the President in case of absence or resignation of the President.
- B. Be a member ex-officio of all committees, except the Elections Committee.
- C. Be a delegate to the Annual Meeting of Delegates of the MTA.
- D. Be a delegate to the NEA Representative Assembly in the summer following the term of office.
- E. Make a prompt response to all special donations to the Scholarship Fund.

Section 4: The Secretary shall:

- A. Keep a complete and accurate record of all meetings of the Association.
- B. Maintain official files and a list of officers and delegates to the Annual Meeting of Delegates of the MTA.
- C. Be a delegate to the Annual Meeting of Delegates of the MTA.
- D. Be a delegate to the NEA Representative Assembly in the summer following the term of office.

Section 5: The Treasurer shall:

- A. Be the custodian of all funds of the Association.
- B. Keep an accurate record of the receipts and disbursements and regularly call this record to the attention of the Executive Board.
- C. Pay all the bills.
- D. Report to each meeting of the Representative Council.
- E. Prepare an annual financial report for publication to members.
- F. Assist the Finance Committee in the initial drafting of the annual budget.
- G. Be a delegate to the Annual Meeting of Delegates of the MTA.

- H. Be a delegate to the NEA Representative Assembly in the summer following the term of office.
- I. Disburse stipends in accordance with the Annual Budget on an annual or pro-rata payment basis, but in no case shall payments be made in anticipation of service.

Section 6: The Membership Chair shall:

- A. Maintain and update all membership lists for QEA, MTA and NEA.
- B. Provide said lists when required by the President or Executive Board.
- C. Determine quorum counts required for general membership meetings.
- D. Report to the Representative Council.
- E. Be a delegate to the Annual Meeting of Delegates of MTA.
- F. Be a delegate to the NEA Representative Assembly in the summer following the term served.
- G. Coordinate dues collection by payroll deduction with QPS payroll staff.

ARTICLE VI: Executive Board

Section 1:

The Executive Board shall consist of the officers, the MTA Director (if a QEA member), the Professional Rights and Responsibilities Chairperson, the Immediate Past President, and one member elected from each level: elementary, middle school, high school, and Quincy College; and one (1) from each of the other QEA Units elected by their respective units.

Section 2: The Executive Board shall:

- A. Be responsible for Association management and implementation of policies established by the Representative Council.
- B. Report its transactions and those of the Representative Council to the Membership.
- C. Act as advisors and counselors on matters relating to their respective levels, and suggest policies for Representative Council consideration.
- D. Not authorize more than four hundred dollars (\$400.00) in excess of budget appropriation.
- E. Prepare agendas for all meetings of the Association and Representative Council.
- F. Approve chairpersons of all standing and special committees recommended by the President.
- G. Be delegates to the Annual Meeting of Delegates of the MTA.

Section 3:

The Executive Board may adopt such rules governing the employment of Association staff, the conduct of the Association, and the conduct of meetings as are consistent with the Bylaws.

Section 4:

Whenever a majority of the Executive Board shall agree that an officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, it shall recommend to the Representative Council that the office be declared vacant. By a two-thirds (2/3) vote of the Representative Council, present and voting at any business meeting, the office shall be filled in accordance with the provisions of Article XII of these Bylaws.

Section 5:

The Executive Board shall meet monthly and/or at the call of the President, or at the request of three members of the Executive Board. A schedule of specific dates for monthly meetings is to be approved by the Executive Board at its first

meeting after taking office.

Section 6:

A majority of the members of the Executive Board shall constitute a quorum.

ARTICLE VII: Representative Council

Section 1:

The Representative Council shall consist of the Executive Board and one or more representatives from each school faculty. It shall be the legislative and policy-making body of the Association.

Section 2:

- A. In each public school in Quincy, faculty members who are members in good standing of this Association shall elect every year one (1) faculty representative to the Representative Council for each fifteen (15) members or major fraction thereof at the time of the election. There shall be at least one representative from each building. If there is a significant increase in membership in a faculty between annual elections, the group may petition the Representative Council to authorize the election of additional faculty representatives.
- B. Members not assigned to a school shall be assigned to groups to elect faculty representatives based on recommendations made annually by the Membership Chairperson and approved by the Representative Council each March.
- C. Elections shall be held in May. Faculty representatives shall take office at the conclusion of the closing day of the school year.

Section 3:

Where possible, faculty representatives shall have been members of the QEA for at least three (3) years prior to their election and shall maintain their membership in good standing during their term of office.

Section 4: The Representative Council shall:

- A. Act on reports of committees.
- B. Approve resolutions and other policy statements.
- C. Authorize non-budgeted items.
- D. Be the final judge of the qualifications and elections of officers and faculty representatives.
- E. Whenever a majority of the Representative Council agrees that an officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend that the office be declared vacant. By a two-thirds (2/3) vote at any business meeting, the office shall be filled in accordance with the provisions of Article VII of these Bylaws.
- F. In connection with vacancies in any office, as defined in Article V, QEA shall fill such vacancies in accordance with Article XII, Sections 7, 8, and 9.

Section 5:

Duties not delegated to the Executive Board, the officers or the members acting at a General Meeting shall be vested in the Representative Council.

Section 6:

Faculty representatives shall attend the regular meetings of the Representative Council, unless the President has excused them. Whenever a majority of the Representative Council shall agree that a Representative has been grossly negligent of the duties defined in the Bylaws, or is incapacitated, the Representative's seat shall be declared vacant. The office shall then be filled in accordance with the provisions of Article XII of these Bylaws.

Section 7:

- A. The Representative Council shall, at its September meeting, approve a Calendar of meetings for the school year.
- B. An agenda for each meeting shall be circulated to all Representatives so that discussion of agenda items is encouraged.

Section 8:

A majority of the members of the Representative Council shall constitute a Quorum.

Section 9:

Any member of the Association who is not a member of the Representative Council may attend its meetings, shall sit apart from the voting body, but may receive permission to speak.

Section 10: The Representative Council shall:

- A. Call meetings of the Association members whom they represent, to discuss Association business.
- B. Appoint such faculty committees as the Association may require.
- C. Enroll members in Local, County, State and National Associations.
- D. Serve as a liaison between the Representative Council and the faculty that they represent.

Section 11:

Special meetings of the Representative Council shall be held at the call of the President or after written request to the Executive Board from ten (10) Representative Council members. Business to come before special meetings shall be stated in the call, which shall be sent in writing to each Representative.

Section 12:

Proxies may be voted at meetings of the Representative Council under the following conditions:

- A. Written statement of the proxy shall be presented to the Secretary before such vote is allowed.
- B. Council members who have a vote may hold a proxy for another member, but no person shall hold more than one (1) proxy.
- C. Persons holding proxies shall be active members in good standing of the Association.
- D. No Council member shall delegate a person to vote by proxy at more than one (1) meeting.
- E. Proxies may not be counted in determining the presence of a quorum.

ARTICLE VIII- A: The Massachusetts Teachers Association Annual Meeting

Section 1:

The Association shall be represented at the Annual Meeting of Delegates of the MTA or any special meetings thereof in accordance with the Bylaws of the MTA.

Section 2:

Any additional delegates to the MTA Annual Meeting beyond the officers attended shall be elected for one (1) year terms.

Section 3:

If the Association at a meeting of the Representative Council or the membership shall adopt by a majority vote a position on any of the business before an MTA Annual Meeting, the delegates shall be required to vote in accordance with such action.

ARTICLE VIII-B: National Education Association Representative Assembly

Section 1:

The Association shall be represented at the NEA Representative Assembly in accordance with the Bylaws of the NEA.

Section 2:

The officers shall be delegates to the Representative Assembly. Any additional delegates beyond the officers shall be elected for one (1) year terms.

Section 3:

If the Association, at a meeting of the Representative Council or the general membership, shall adopt by a majority vote on any of the business before the Representative Council Assembly, the delegates shall be required to vote in accordance with such action.

Section 4:

Authorized delegates to the Representative Assembly shall pay their own expenses and costs. If they attend 80% of the sessions, full reimbursements will be made, up to the amount MTA reimburses its delegates, less any NEA and MTA direct funding.

Section 5:

The number of delegates to be sent to the NEA Representative Assembly will be determined by the QEA budget approved at the Annual Meeting.

ARTICLE IX: Committees

Section 1:

There shall be the following permanent Standing Committees: Election, Finance, Building, Negotiations Team, Professional Rights and Responsibilities, Scholarship, and Survivor Benefits.

Section 2:

The President shall make a report to the Representative Council of the names of Chairpersons of all permanent Standing Committees, and all other committees established by the President.

Section 3:

Special committees may be established by the Representative Council and/or Executive Board, and/or the membership at a general meeting. Such Committees shall serve at the pleasure of the establishing authority. Unless otherwise specified, all provisions for Standing Committees shall apply to Special Committees.

Section 4:

The chairperson of each committee shall be available at the call of the Representative Council and/or Executive Board, when matters pertaining to said Committee are to be discussed. Said chairperson shall not have voting privileges.

Section 5:

The chairperson of each committee shall be personally responsible for all property and records of the committee, and shall give an itemized receipt for such property and records on taking possession of them. The chairperson shall turn over all such property and records, along with any new materials, to his/her successor.

Section 6:

Insofar as is possible or practical, the membership of all committees shall be proportionately representative of the membership from the four levels: Elementary, Middle, Senior High and Quincy College.

Section 7:

A majority of members of a committee shall constitute a quorum.

ARTICLE X: Organization and Duties of Committees

Section 1: The Election Committee Shall:

- A.** Consist of five (5) members: The chairperson, appointed by the President; two (2) elected by the Representative Council, one (1) Elementary and one (1) Secondary; and two (2) elected from the floor at the Annual Meeting, one (1) Elementary and one (1) Secondary.
- B.** Carry out the election procedures, as described in Article XII of the Bylaws and any official election procedures approved by the Representative Council.
- C.** Tabulate and certify the results of all Association elections.
- D.** Notify the membership of any vacancies in office that occur in the Association.
- E.** Conduct elections for delegates and/or representatives to any affiliated organizations subject to their rules, members of joint committees with the School Committee, and any committees of the Association as required by the Bylaws. The Representative Council shall approve procedures for such elections.

Section 2: The Finance Committee Shall:

- A.** Submit the financial records of the Association to the professional auditor, approved by the Executive Board, at the close of the fiscal year, and make a report of such audit at the September Representative Council meeting.
- B.** Prepare the budget and dues for presentation to and the recommendation of the Executive Board and Representative Council at their April meetings in preparation for the vote of the Association at the Annual Meeting.
- C.** Present the budget with the recommendations of the Executive Board and Representative Council, for action thereon, in writing, to the membership at least ten (10) school days prior to the Annual Meeting.

Section 3: The Building Committee Shall:

- A.** Maintain the property.
- B.** Arrange the property insurance.
- C.** Report regularly to the Executive Board and Representative Council on expenses.
- D.** Have a budget appropriated annually; and be authorized to spend that budget.
- E.** Receive approval of the Executive Board before expending funds in excess of the approved budget.
- F.** Consist of a chairperson, appointed by the President for a one (1) year term; one (1) Executive Board member appointed annually by the Board; and one (1) member elected by members at the Annual Meeting.

Section 4: The Negotiations Teams Shall:

- A.** Be elected by members of their units at least six (6) months before the termination of the QEA contract.

Unit A Team will consist of the President (or his/her appointee), Vice President (who will serve as the Chairperson of the Salary Committee), the Chairperson of the Professional Rights and Responsibilities Committee, and seven (7) faculty members elected according to Article IX, Section 6.

All Other QEA Units will elect four (4) members from their units. The President or his/her appointee will be an additional member.

- B. Represent the membership in all areas of collective bargaining as specified in the Contract.
- C. Elect their own chairpersons.
- D. Be disbanded after the successful ratification of a contract.
- E. Remain intact during the term of negotiations; unless a Team member changes level during the term, in which case that term will end and a new member from the appropriate level will be elected by membership at that level.
- F. Be expanded by any number of non-voting members from the QEA, by the request of a Negotiations Team.
- G. During the period when there is no Negotiations Team, and the need arises, the President, with the consent of the Executive Board and the Representative Council may appoint an interim bargaining committee. Agreement made by such Impact Bargaining Teams must be ratified by a two-thirds (2/3) vote of the present and voting members of both the Executive Board and Representative Council.

Section 5: The Professional Rights and Responsibilities

Committee Shall:

- A. Consist of a Chairperson, the President, and three (3) members approved by the Representative Council upon the recommendation of the President. At the discretion of the chairperson, and with the approval of the Representative Council, the committee may be enlarged on a temporary basis.
- B. Produce prompt and equitable solutions to those grievances which may arise involving wages, hours, or conditions of employment of the members as stipulated in the Contract. A "grievance" shall be defined in the Contract.
- C. Be the agent who shall guarantee to the members that the conditions of the Contract in regard to wages, hours, and conditions of employment will be honored and upheld by both parties.
- D. Defend members of the teaching profession, schools, and the cause of education against unjust attack; investigate controversies involving teachers and schools, justly, fearlessly and in the public interest.
- E. Increase the development and use of personnel policies that attract and hold competent professional personnel and prevent unnecessary difficulties.
- F. Formulate procedures to be used by the Professional Rights and Responsibilities Committee subject to the approval of the Representative Council.
- H. Report regularly to the Executive Board and the Representative Council on the status of grievances.

Section 6: The Scholarship Committee Shall:

- A. Consist of a chairperson, one (1) member from each high school, four (4) other faculty members, a QEA member administrator, and the treasurer.
- B. Establish procedures, subject to the review of the Representative Council, for the raising, maintaining and distributing of funds for scholarships for worthy students of the Quincy Public Schools.

Section 7: The Survivor Benefit Committee Shall:

- A. Maintain a list of the Survivor Benefit Fund members.
- B. Notify members when the Fund needs to be replenished.

ARTICLE XI: Joint Committees of the Quincy Education Association and the Quincy School Committee

Section 1:

As provided in the Contract, there shall be two (2) joint committees comprised of members of the QEA chosen by the Association and the members selected by the Quincy School Committee. These committees shall be the Educational Development Committee and the Professional Conditions Committee.

Section 2: The Educational Development Committee Shall:

- A.** Consist of the President as an ex-officio member and five (5) members selected according to Article IX, Section 6, with the approval of the Executive Board.
- B.** Replace any members with more than two (2) unexcused absences, at the discretion of the President with the approval of the Executive Board.
- C.** Function as described in the Contract.

Section 3: The Professional Conditions Committee Shall:

- A.** Consist of the Vice-President as an ex-officio member and five (5) members selected in accordance with Article IX, Section 6, with the approval of the Executive Board.
- B.** Replace any members with more than two (2) unexcused absences, at the discretion of the President, with the approval of the Executive Board.
- C.** Function as described in the Contract.

Section 4:

Association membership on any joint committee constituted in the Contract, other than those in Section 1, 2, and 3 above, shall be established in accordance with Article IX, Section 6.

ARTICLE XII: Nominations and Elections

Section 1:

Nominations for office, as defined in Article V, shall be by the membership or by the Elections Committee.

Section 2:

Nominations by the membership shall require a petition, signed by at least five percent (5%) of the members eligible to vote for the office in question. No more than one-half (1/2) of the signatures on a candidate's petition may come from one faculty, with the exception of the College. No member may sign petitions for a number of candidates greater than the number of votes to which he/she is entitled for the office in question. Petitions must be submitted by April 30 to be certified by the Elections Committee. Persons currently holding office may secure nomination by giving written notification of their intention to be a candidate for re-election to the Elections Committee by April 30.

Section 3:

In the event that a sufficient number of the candidates do not qualify by petition, the Elections Committee shall have the responsibility for nominating candidates.

Section 4:

The Association shall publish for the membership a sample ballot at least ten (10) days prior to the election.

Section 5:

The ballot for officers shall reflect candidacy for delegate to the NEA Representative Assembly and the MTA Annual Meeting. The ballot for Executive

Board shall reflect candidacy for delegate to the MTA Annual Meeting. Election of officers shall be held after May 10, but prior to the QEA Annual Meeting.

Section 6:

The officers shall be elected for a term of one (1) year, or until their successors shall have been chosen. The election shall become effective at the conclusion of the closing day of the school year.

Section 7:

Whenever a vacancy occurs in either the office of the President or Vice President, the following procedures shall be followed:

- A. If the office of the President becomes vacant between elections, except as provided in Article VI, Section 4, the Vice President shall automatically assume the office of the President for the unexpired term.
- B. If the office of Vice President becomes vacant between elections, the Representative Council shall direct the Elections Committee to fill the vacancy in accordance with Article XII.
- C. Whenever the office of the President and Vice President become vacant simultaneously between elections, except as provided in Article VI, Section 4, the Representative Council shall direct the Elections Committee to fill the vacancy in accordance with Article XII.

Section 8:

In the event of a vacancy in the office of Secretary or Treasurer, the Representative Council shall appoint a person to serve in the office until the Elections Committee can fill the vacancy.

Article XIII: Meetings

Section 1:

There shall be an Annual Meeting of the membership during May for approving the annual budget, amending the Bylaws if necessary, and discussion of professional issues that are placed on the agenda by the Executive Board, the Representative Council or by written request from a member at least fifteen (15) days prior to the meeting date.

Section 2:

Special business meetings of the membership shall be called by the President or on written request of any fifty (50) members of the Association. The President shall call such a meeting of the Association within fifteen (15) school days. No more than one third (1/3) of the signatures on a request shall come from one faculty.

Section 3:

Notice of any business meeting of the membership of the Association shall be sent to the membership at least seven (7) days prior to the date of the meeting and shall state the purpose of the meeting.

Section 4:

Fifteen percent (15%) of the currently enrolled membership shall constitute a quorum at any business meeting of the Association.

Article XIV: Special Appointments

Section 1:

A parliamentary advisor shall be appointed by the President with the approval of the Executive Board. The advisor who shall not be required to be a member of the Association may advise at meetings of the Executive Board, the Representative Council, and the Association.

Section 2:

An office secretary shall be employed by the Association, with the approval of the Executive Board, upon the recommendation of the President, the secretary shall:

- A.** Receive such compensation as shall be determined by the Association, on the recommendation of the Executive Board.
- B.** Perform a job description as recommended by the Executive Board and approved by the Representative Council.
- D.** Be assisted, as needed, on a temporary or permanent basis, on the recommendation of the President and approved by the Executive Board.

Article XV: Parliamentary Authority

The rules contained in *Robert's Rules of Order, Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws.

Article XVI: Contract

Section 1:

Ratification of the Contract between the Association and the School Committee shall take place at a special meeting of the membership called for that purpose. Notice of such a meeting shall be given to the membership at least seven (7) days prior to said meeting.

Section 2:

No less than thirty percent (30%) of the total membership shall constitute a quorum at a ratification meeting.

Section 3:

Ratification shall be by a two-thirds (2/3) vote of those present and voting at a ratification meeting.

Article XVII: Amendments

Section 1:

These Bylaws may be amended by a two-thirds (2/3) vote of members present and voting at any business meeting, provided a copy of the proposed amendment has been submitted in writing to every active member at least ten (10) days prior to the meeting.

Section 2:

All proposed amendments shall be presented to the Executive Board and Representative Council for their consideration and recommendations.

Standing Rules

Rule 1: Amendments to Bylaws and Standing Rules

Section 1:

Proposed amendments to the Bylaws and Standing Rules to be acted upon at the Annual Meeting shall be submitted in writing prior to 5:00 PM on the first Friday in March to the Committee on Bylaws and Rules at the QEA Office.

Section 2:

Proposed amendments to the Bylaws and Standing rules submitted by individual members, the Executive Board or Representative Council shall be reviewed.

Section 3:

The Committee on Bylaws and Rules shall, within thirty (30) days of taking action on a proposed amendment, issue a report of its action to the submitter of the amendment.

These are the bylaws as of 10-22-07

The Quincy Education Association, Inc.

**590 Hancock Street
Quincy, MA 02170
(617) 479-2283**

Bylaws of the Quincy Education Association
As amended, May 2006

Addendum to Article XII, Section 8
Section 8 should read:

In the event of a vacancy in the office of Secretary, Treasurer or
Membership Chair, the Representative Council shall appoint a person
to serve in the office until the Elections Committee can fill the
vacancy.