

## **BYLAWS OF TUSTIN EDUCATORS ASSOCIATION/CTA/NEA**

### **I. NAME AND LOCATION OF ASSOCIATION**

- A. The official chapter name shall be Tustin Educators Association (TEA)/CTA/NEA located in Orange County, CA.

### **II. PURPOSES**

- A. To represent members in their relations with the Tustin Unified School District and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To raise the standards for education support professionals;
- E. To provide a means of representation for its ethnic minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

### **III. AFFILIATIONS WITH CTA/NEA**

- A. TEA acknowledges affiliation with CTA and NEA as follows: the Tustin Educators Association shall be a chartered chapter of the California Teachers Association.
- B. The Tustin Educators Association shall be an affiliate local of the National Education Association.

### **IV. MEMBERSHIP**

- A. Categories of Membership. The primary category of membership shall be Active members.
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of Tustin Unified, and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the bargaining unit.

- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual TEA/CTA/NEA dues.
- D. The right to vote and to hold elective office or appointive positions within TEA shall be limited to Active members.
- E. Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in protection of professional and civil rights, and receive reports and publications of TEA.
- F. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the TEA.
- G. Active members shall adhere to The Code of Ethics of the Education Profession.
- H. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin, sexual orientation, or perceived sexual orientation.
- I. No member of TEA may be disciplined without a due process hearing, which shall include the established appellate procedure.
- J. The membership year shall be that period of time from Sept.1 of any given calendar year, through Aug. 31 of the following calendar year, inclusive.
- K. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within TEA.

**V. DUES, FEES AND ASSESSMENTS**

- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of TEA, the dues of CTA, and the dues of NEA.
- B. TEA's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative Council at the last regular meeting of the school year.
- C. TEA shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full TEA/CTA/NEA dues.
- D. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, not made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

## **VI. POLICY MAKING BODY**

- A. The policy-making body of TEA shall be a Representative Council. The Representative Council, comprised of Active members of TEA, derives its powers from and shall be responsible to the Active Membership.
- B. The Representative Council shall be composed of the following Active members:
  - 1. Executive Board, ex-officio
  - 2. Site and Program Representatives elected on the basis of one-person-one vote
  - 3. Additional Representatives at the Representative Council's discretion
- C. The Representative council shall:
  - 1. Establish TEA policies and objectives
  - 2. Adopt the annual budget of TEA on or before the first meeting of the school year
  - 3. Approve the establishment or discontinuance of committees recommended by the Executive Board; and
  - 4. Establish the dues of the Association
- D. The Representative Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the Active membership.
- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places and times.
- I. Members of the Representative Council shall serve a term of one year.
- J. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

## **VII. SITE AND PROGRAM REPRESENTATIVES**

- A. Site and District Program Representatives shall be elected by and from the Active membership for each site and program. Such election shall be by open nominations and by secret ballot.
- B. Each site and program shall be entitled to at least one representative and shall have one representative for each twenty-five (25) Active members ~~on~~ at the site or in the program, or major fraction thereof.

- C. Active members who are not represented through an individual school site or program group shall be counted as a special site or program group entitled to the same representation on the Representative Council as individual school Site or Faculty groups.
- D. Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- E. Site and Program Representatives shall:
  - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the site or program
  - 2. Serve as the official channel through which written communications and publications can be easily transmitted between the Association and the members
  - 3. Represent the views and input of the Active membership of the ~~faculty~~ site or program in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
  - 4. Perform such additional duties as prescribed by the Executive Board.
- F. Site and Program Representatives may not conduct an election in which he/she is a candidate.

## VIII. OFFICERS

- A. The officers of TEA shall be a President, Vice President, a Secretary, and Treasurer.
- B. Officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of an office.
- C. Officers shall be elected by and from the Active membership of the TEA. Such elections shall be by open nominations and secret ballot.
- D. Officers shall be elected for a term of two years, commencing on July 1 of any calendar year.
- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of TEA. If there is a vacancy occurring in the office of President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect a successor to fill the unexpired terms.
- F. The President shall be the Chief Executive Officer of TEA and its policy leader.

The President shall:

- 1. Preside at all meetings of the TEA, the Representative Council and Executive Board;
- 2. Prepare the agenda for the meetings of the TEA, the Representative Council and Executive Board;
- 3. Be the official spokesperson for the TEA;
- 4. Be familiar with the governance documents of the TEA, CTA, and NEA.

5. Appoint all chairpersons and members of committees, with the approval of the Executive Board by the beginning of each school year;
  6. Appoint the chairpersons and members of the bargaining team with the approval of the Executive Board by the beginning of each school year;
  7. Call meetings of TEA, Representative Council, and the Executive Board.
  8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
  9. Suggest policies, plans, and activities for the TEA and be held responsible for the progress and work of TEA .
  10. Attend meetings of the Orange Service Center Council.
  11. Attend other CTA/NEA meetings as directed by the Representative Council.
- G. The Vice-President shall:
1. Serve as assistant to the President in all duties of the President;
  2. Assume the duties of the President in the absence of the President;
  3. Be responsible for the formation and distribution of the TEA's calendar of activities; and
  4. Serve as coordinator of committee activities at the direction of the President.
- H. The Secretary shall:
1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of TEA, the Representative Council, and Executive Board;
  2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board, and to the membership when appropriate.
  3. Keep an accurate roster of the membership of TEA and of all committees; and
  4. Carry on the correspondence pertaining to the affairs of TEA as directed by the President.
- I. The Treasurer shall:
1. Receive all funds belonging to the TEA and be responsible for their safekeeping and accounting;
  2. Pay out such funds upon the orders of the President;
  3. Provide a written financial report for each regular meeting of Representative Council and Executive Board;
  4. Be responsible for an annual audit of the books of the TEA and distributing a summary of this audit to the membership; and
  5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

## **IX. EXECUTIVE BOARD**

- A. The Executive Board shall be composed of the elected Officers of the Association, two Elementary School Directors, one Middle School Director, one High School Director each elected by their representative groups, and the State Council Representatives. The Chairs of the Bargaining Team, Grievance Committee, Political Action Committee, and Rules and Elections Committee shall be ex officio member of the Executive Board.
- B. All members of the Executive Board shall be and remain, currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The Executive Board shall meet before each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- D. The duties of the Executive Board are:
  - 1. Coordinate the activities of TEA;
  - 2. Act for the Representative Council when school is not in session;
  - 3. Direct the bargaining activities and grievance processing of TEA, subject to policies set by the Representative Council;
  - 4. Approve by majority vote appointment and by 2/3 vote removal of bargaining Team members;
  - 5. Recommend a budget for TEA to the Representative Council
  - 6. Approve by majority vote all appointment and removal of committee members, including chairpersons;
  - 7. Adopt the Standing Rules for TEA
  - 8. Adopt grievance procedure;
  - 9. Direct the grievance activities of the TEA; and
  - 10. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions imposed by the Representative council.
- E. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body.

## **X. MEETINGS OF THE GENERAL MEMBERSHIP**

- A. Meetings of TEA may be called by the President, the Executive Board, or by written petition of 20% of the Active membership.
- B. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all members of TEA at least two days before the meeting, except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the TEA membership of meeting dates, places, and times.
- D. A quorum for meetings of TEA shall be a majority of the Active membership.

## **XI. BARGAINING TEAM**

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by the resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. The Bargaining Team shall be under the direction of the Executive Board, and shall report its activities to the Executive Board, as the Board requires.
- F. The Bargaining Team is empowered to reach tentative agreement with the district subject to ratification by the Active membership.
- G. Responsibility and authority for directing the bargaining process on behalf of TEA are vested in the Executive Board, subject to policies established by the Representative Council in that unit.
- H. Employees in each appropriate Bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by the Representative Council in that unit.
- I. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- J. Agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the TEA until such agreements have been ratified by the Active membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by Active membership.

## **XII. GRIEVANCE PROCESSING**

- A. The Executive Board shall adopt, with the approval of the Rep Council, the procedures for grievance processing.
- B. These procedures shall include, but are not be limited to, the following:
  - 1. Provide for representation to assist all members of the bargaining unit(s) in processing grievances
  - 2. Training for handling grievances; and
  - 3. Evaluation of TEA's grievance policies and procedures.

## **XIII. NOMINATIONS AND ELECTIONS**

The TEA President must provide Active members an opportunity to vote in all elections.

The chapter president does not have the option of deciding that such elections shall not be held except for NEA-RA Local Delegate and Site and Program

Representative elections where, following a period of open nomination, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled.

- A. There shall be an appointed Elections Committee
- B. Elections shall be conducted with:
  - 1. Open nomination procedure
  - 2. Secret ballot
  - 3. All active member vote
  - 4. Record of voters receiving or casting ballots
  - 5. Majority vote, unless otherwise specified
- C. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or Service Center Council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines.
- F. The duties of the Elections Committee shall be to:
  - 1. Ensure that all TEA/CTA/NEA election codes and timelines are followed;
  - 2. Establish election timelines;
  - 3. Develop and carry out timelines and procedures;
  - 4. Prepare ballots for election of officers and such other elections as may be necessary;
  - 5. Count the ballots and certify the results; and
  - 6. Handle initial challenges.

#### **XIV. COMMITTEES**

- A. Committees, except as otherwise provided in these Bylaws, may be established and discontinued by the Executive Board, subject to approval by the Representative Council.
- B. Each committee shall submit periodic reports to the Executive Board and Representative Council.

#### **XV. PARLIAMENTARY AUTHORITY**

- A. *Robert's Rules of Order, Newly Revised*, latest edition, shall be followed at all meetings of the TEA, the Representative Council, and the Executive Board.

#### **XVI. AMENDMENTS/PROCEDURES**

- A. Bylaws may be amended by a two-thirds (2/3) vote of the Representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted on.



## **APPENDIX**

### **I. POLITICAL ACTION**

The Political Action Chair shall:

1. Work with the TEA Executive Board and keep them informed of political action activities
2. Work with the TEAPAC treasurer to maintain TEAPAC finances and ensure that all reports are properly filed
3. Serve as a liaison with TUSD on political action matters  
Attend all meetings of the Representative Council and such meetings of the Executive Board as requested by the President.