

Lake Elsinore Teachers Association/CTA/NEA Bylaws

I. NAME AND LOCATION

The name of this Association shall be the Lake Elsinore Teachers Association/CTA/NEA in Riverside County.

II. PURPOSES

The primary purposes of this Association shall be as follows:

- A. To represent its members in their relations with their employer, 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 form on-going collaboration with educational support personnel to further our profession.
- 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.
- H. To foster good fellowship among members.
- I. To improve the educational experience for all students.

III. AFFILIATION WITH THE CTA/NEA

- A. The Lake Elsinore Teachers Association/CTA/NEA shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Lake Elsinore Teachers Association/CTA/NEA shall be an affiliated local association of the National Education Association (NEA).

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 the Lake Elsinore Unified School District and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.
- C. Membership shall be granted upon initiation of payroll deduction or upon payment of annual Chapter/CTA/NEA dues appropriate to the class of membership.
- D. The right to vote and to hold elective office or appointive position within the Association 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 the protection of professional and civil rights, and receive reports and publications of the Association.
- F. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- 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, religion, national origin, or sexual orientation.
- I. No member of the Association may be disciplined by the chapter without a due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- J. The membership year shall be that period of time from September 1 of any given calendar year through August 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 this Association.

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 operating expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for non-members shall be established by action of the Representative Council of the Association at the last regular meeting of the school year.
- C. The chapter (local) shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the Chapter/CTA/NEA dues.
- D. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor 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 the Association shall be a Representative Council. The Representative Council, comprised of Active members of the Association, 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, voting)
2. Site Representatives elected on the basis of one-person one-vote.
3. The following additional representatives (ex-officio non-voting) when not already serving on the Representative Council in another capacity.
 - a. Elected Service Center Council Representative(s).
 - b. Committee Chairpersons.
 - c. CTA State Council Representatives.
 - d. Any members of the Association who hold CTA/NEA offices or committee appointments

C. The Representative Council duties shall be as follows.

1. Establish Association policies and objectives.
2. Adopt the annual budget of the Association on or before the first meeting of the school year.
3. Approve the establishment or discontinuance of committees recommended by the Executive Board.
4. Establish the dues of the Association.

D. The Representative Council shall normally 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 two (2) years, except for the CTA State Council Representatives, whose terms are set by CTA.

J. A quorum for all meetings of the Representative Council shall consist of a simple majority of the voting members of the Representative Council.

VII. SITE REPRESENTATIVES

A. Site Representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.

B. One Site Representative shall be elected from each site for the first 15 Active Unit members. One additional Site Representative shall be elected for every additional 15 unit members, or

major fraction thereof, at the site. At least one alternate Site Representative shall be elected at each site.

C. Active members who are not represented through an individual site shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual sites.

D. Vacancies in the office of Site Representative for whatever cause may be filled by properly elected replacements.

E. Site Representatives duties shall be as follows.

1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty unit.
2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members.
3. Represent the views and input of the Active membership of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose.
4. Conduct site elections.
5. Perform such additional duties as prescribed by the Executive Board.

F. A Site Representative may not conduct an election in which he/she is a candidate.

VIII. OFFICERS

A. The officers of the Association shall be President, First Vice- President, Second Vice President, Secretary, and Treasurer.

B. These 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 office.

C. These officers shall be elected by and from the Active membership of the Association. Such election 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 the Association.

1. If there is a vacancy occurring in the office of the President, the First Vice-President shall assume the office.
2. In the event a vacancy occurs in the other offices, a special election of the Association shall be held to elect successors to fill the unexpired terms.

F. The President shall be the chief executive officer of the Association and its policy leader.

The President duties shall be as follows:

1. Preside at all meetings of the Association, the Representative Council and Executive Board.

2. Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board.
3. Be the official spokesperson for the Association.
4. Be familiar with the governance documents of the Association, CTA, and NEA.
5. Appoint all chairpersons and members of committees, with the approval of the Executive Board by the beginning of the school year.
6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board by the beginning of the school year.
7. Be responsible to call, schedule, and provide notice for all meetings of the Association, Representative Council, and the Executive Board.
8. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association.
9. Attend meetings of the Service Center Council of which the Association is a part.
10. Attend other CTA/NEA meetings as directed by the Representative Council.
11. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council.

G. The First and Second Vice-President duties shall be as follows:

1. Serve as assistants to the President in all duties of the President.
2. Assume the duties of the President in the absence of the President, the First Vice President as the first alternate, and the Second Vice President as the second alternate.
3. Serve as coordinator of the following committee activities:
 - The First Vice president shall facilitate the Grievance, Political Action, Membership Committees and Curriculum Advisory Council.
 - The Second Vice president shall facilitate the Bargaining, Communications, Social, Benchmark Assessment and Math Steering Committees.
4. The Vice Presidents shall facilitate other committees at the direction of the President, with approval of the Executive Board.
5. The Second Vice President shall be responsible for the formation and distribution of the Association's calendar of activities.

H. The Secretary duties shall be as follows:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the 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 membership of the Association and of all committees.
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

I. The Treasurer duties shall be as follows:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting.
2. Pay out such funds upon orders of the President.

3. Prepare a written financial report for each regular meeting of the Representative Council and Executive Board.
4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the Representative Council, and to the membership when appropriate.
5. Submit 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 officers and eight (8) directors elected at large from the Active membership, as long as this complies with the “one-person – one-vote” rule. The eight (8) directors elected at large shall include a representative from each of the following categories.

1. One (1) Non-Classroom Unit Member Director (school counselor, school psychologist, nurse and speech therapist)
2. Three (3) Grades K-5 Directors
3. Two (2) Grades 6-8 Directors
4. Two (2) Grades 9-12 Directors
5. One (1) Special Education Director

B. All directors 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 normally meet twice a month 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 shall be as follows:

1. Coordinate the activities of the Association.
2. Act for the Representative Council when school is not in session.
3. Direct the bargaining activities of the Association (subject to policies set by the Representative Council.)
4. Recommend a budget for the Association to the Representative Council.
5. Approve appointment and removal of all committee Chairpersons, Vice Chairpersons, and committee members.
6. Approve by majority vote the appointment and by two-thirds vote the removal of bargaining team chair or members.
7. Adopt the Standing Rules for the Association.
8. Adopt Grievance procedures.
9. Direct the grievance activities of the Association.
10. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council.

E. Vacancies in the position of a director of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position or transfer to a position outside of their elected category.

F. A quorum for all meetings of the Executive Board shall consist of a simple majority of the members of the Executive Board.

X. MEETINGS OF THE ASSOCIATION (GENERAL MEMBERSHIP):

A. Meetings of the Association may be called by the President, the Executive Board, or by written petition of twenty percent (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 the Association at least two (2) days before the meeting except during crisis situations.

C. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.

D. A quorum for general meetings of the Association shall consist of a simple majority of the active members of the Association.

XI. 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.

XII. BARGAINING TEAM

A. The Chairperson and members of the Bargaining Team, and any alternates deemed necessary, shall be appointed by the President and approved by the Executive Board.

B. Vacancies created by resignation or inability to serve shall be filled by the President, with approval by the Executive Board.

C. The Executive Board may remove a member of the Bargaining Team by a two-thirds (2/3) vote.

D. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit members.

E. Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Board subject to policies established by the Representative Council and the Active membership when appropriate. The Executive Board is distinct from the Bargaining Team.

F. Employees in the bargaining unit shall be surveyed to determine contents of the proposed contract demands. The initial contract proposal for the bargaining unit shall be approved by the Executive Board and the Representative Council.

G. 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.

H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.

I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding on the Association until such agreements have been ratified by the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

J. Contract settlement agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such contract settlement agreements have been ratified by the Active membership in the bargaining.

XIII. GRIEVANCE PROCESSING

A. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.

B. These procedures shall include, but not be limited to, the following actions.

1. Provide for representation in meetings and assistance to all members of the bargaining unit in processing grievances.
2. Provide training for handling grievances.
3. Evaluate the Association's grievance policies and procedures.

XIV. NOMINATIONS AND ELECTIONS

The chapter shall follow and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the *CTA Elections Manual*. The chapter president must provide Active members an opportunity to vote in all elections.

Chapter presidents do not have the option of deciding whether an election shall be held.

A. There shall be an appointed Elections Committee.

B. Elections shall be conducted with the following conditions:

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 Delegates 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 as follows:

1. Ensure that all chapter/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.
6. Handle initial challenges.

G. Elections shall be conducted with the following conditions:

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.

H. The duties of the Elections Committee shall be as follows.

1. Ensure that all chapter/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.
6. Handle initial challenges.

XV. AMENDMENTS/PROCEDURES:

A. These 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 upon.

XVI. PARLIAMENTARY AUTHORITY

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

XVII. COPIES OF BYLAWS

A current copy of the LETA Bylaws shall be posted on the LETA website.

Revision approved by Representative Council February, 27 2014