

BYLAWS

SAN JUAN TEACHERS ASSOCIATION/CTA/NEA Revised 12/20/00

I. NAME AND LOCATION The name of the Association shall be the San Juan Teachers Association/CTA/NEA in Sacramento County. 5820 Landis Ave. Suite 1, Carmichael, CA 95608

II. PURPOSES

The primary purposes of this Association shall be:

1. To represent its members in their relations with their employer, and be the exclusive representative – of Certificated Bargaining Unit members 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.
2. To form a representative body capable of developing group opinion on professional matters to speak with authority for San Juan Teachers Association/CTA/NEA members.
 3. To provide an opportunity for continuous study and action on concerns of the profession and advocate for professional growth and change. To provide opportunities for professional development.
 4. To promote professional attitudes and ethical conduct among members.
 5. To encourage cooperation and communication between the profession and the community.
 6. To foster good fellowship among members.

III. AFFILIATION WITH THE UNITED TEACHING PROFESSION (UTP)

1. The San Juan Teachers Association shall be chartered chapter of the California Teachers Association (CTA).
2. The San Juan Teachers Association shall be an affiliated local association of the National Education Association (NEA).

IV. MEMBERSHIP

¹Revised 12/2000

A. Classes

1. There shall be two (2) classes of membership: Active and Reserve. Active membership shall be open to all certificated non-management, non-confidential personnel who are part of the Bargaining Unit and (i) who are engaged in or who are on a limited leave of absence from professional educational work or (ii) who are serving as an executive officer of the Association or of a state or local affiliate. Active members shall hold or shall be eligible to hold a baccalaureate or higher degree or the regular teaching, vocational, or technical certificates required by their employment.
2. Reserve membership shall be open to any person who is on a leave of absence of at least six (6) months but not more than three (3) years from the employment that qualifies him or her for active membership.

B. RIGHTS, PRIVILEGES AND OBLIGATIONS:

1. Membership may be granted upon payment of annual United Teaching Profession (UTP) dues through payroll deduction or cash appropriate to the class of membership and completion of a membership application.
2. The right to vote and to hold elective office or appointive position shall be limited to Active members.
3. All members shall be eligible to participate in activities and programs, except Executive Sessions of the Executive Board, receive special services, to obtain assistance in the protection of professional and civil rights, and to receive reports and publications of San Juan Teachers Association.
4. Active members shall adhere to The Code of Ethics of the Education Profession.
5. The rights to and privileges of membership shall not be abridged in any way because of: age, sex, race, color, ethnic group, national origin, sexual orientation or marital status.
6. No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure.
7. The membership year shall be that period of time from July 1 of any given calendar year through June 30 of the following year, inclusive.

V. DUES, FEES, AND ASSESSMENTS

1. 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 dues of NEA.
2. The Association's portion of the basic annual dues and the representation fee for non-members, shall be .5% of the preceding year's base salary of the certificated credentialed personnel salary schedule as established by negotiations with San Juan Unified School District.
3. Representation fees shall be apportioned on the same percentage basis as the full United Teaching Profession dues.
4. Any fees and assessments in addition to 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.
5. 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.
6. There shall be no refunds of dues for the contract year to a member except in case of death or involuntary termination of employment.
7. This provision may be appealed to the San Juan Teachers Association Executive Board.

VI. POLICY-MAKING BODY

1. The policy-making body of the Association shall be a Representative Council. The Representative Council derives its powers from and shall be responsible to the membership.
2. The Representative Council shall be composed of the following Active members:
 - a. Faculty Representatives elected on the basis of one person one vote;
 - b. Executive Board members, ex officio non-voting; except when serving as Faculty Rep.
 - c. Committee chairpersons, ex officio non-voting; except when serving as Faculty Rep.
 - d. CTA State Council Representatives, ex officio non-voting; except when serving as Faculty Rep.
 - e. Any members of the Association who hold CTA/NEA offices or committee appointments, ex officio non-voting.
3. The Representative Council shall:
 - a. Establish Association policies and objectives;
 - b. Adopt the Annual Budget of the Association on or before the first meeting of the school year;

- c. Approve the establishment or discontinuance of committees recommended by the Executive Board; and
 - d. Establish the dues, fees and assessments of the Association.
4. 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.
5. Special meetings of the Council may be called by the President, the Executive Board, or by the petition of twenty (20) percent of the membership of the Representative Council.
6. Special meetings of the Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
7. Notices and agendas for all meetings of the Council shall be sent to all members of the Council at least two (2) days prior to the date of the meeting.
8. 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. The provision of Section 7 above shall be waived.
9. A quorum shall consist of a majority of those voting members present 30 minutes after the starting time of a scheduled meeting.
10. Faculty Representatives shall serve a term of one (1) year and may be re-elected with no term limitations.

VII. FACULTY REPRESENTATIVES

1. Faculty 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. This Procedure may be modified if the election is uncontested or there are fewer candidates than positions available.
2. Each faculty shall be entitled to at least one (1) representative and shall have one (1) representative for each fifteen (15) Association members or major portion thereof on the faculty.
3. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Council as individual school faculty groups.
4. Faculty Representatives shall:
 - a. Be a constant and on-going liaison between the Representative Council and the Active members of the Faculty Unit;
 - b. Serve as the official channel through which written communications and publications can be easily and

- quickly transmitted between the Association and the Active members;
- c. 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; and
- d. Perform such additional duties as adopted by the Executive Board or Representative Council.
- e. Articles 17.5, 17.501, 17.502, 17.503 and 17.504 of the Collective Bargaining Contract delineate contractual rights and responsibilities of the Faculty Rep.

VIII. OFFICERS

1. The officers of the Association shall be a President, Vice-President, Secretary/Treasurer.
2. These officers shall be and remain active members of the UTP as a condition for nomination to and service in their respective positions during their term of office.
3. These officers shall be elected by and from the active membership of the Association. Such election shall be by open nominations and secret ballot.
4. Officers shall be elected for a term of two (2) years, commencing on July 1 of any calendar year. Officers shall serve for not more than three (3) consecutive terms in the same position.
5. 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. In the event of a vacancy occurring in the office of the President, the Vice-President shall assume the office.
6. The President shall be the chief executive officer of the Association and its policy leader. The President shall:
 - a. Preside at all meetings of the Association. The Representative Council, and the Executive Board.
 - b. Prepare the agenda for the meetings of the Association, the Representative Council, and the Executive Board.
 - c. Be the official spokesperson for the Association.
 - d. Familiarize himself/herself with the governance documents of the Association, the CTA, and NEA.
 - e. Appoint all members of committees and bargaining team with the approval of the Executive Board and Representative Council.
 - f. Call meetings of the Association and the Executive Board.
 - g. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association.

- h. Attend meetings of the Service Center Council of which the Association is a part.
 - i. Attend other CTA/NEA meetings as he/she may be directed by the Council, and,
 - j. Direct the day to day activities of the professional staff in concert with the policies and goals as established by the Representative Council and/or Executive Board.
 - k. Initiate an annual evaluation of staff to be presented to Executive Board.
7. The Vice-President shall:
- a. Serve as assistant to the President in all duties of the President;
 - b. Assume the duties of the President in the absence of the President;
 - c. Act as Parliamentarian at Executive Board and Rep Council, and
 - d. Serve as coordinator of committee activities at the direction of the President.
 - e. In the event of a vacancy of less than one year duration, the Executive Board shall appoint, with Rep Council approval, a person to fill the vacancy for the duration of the unexpired term. Appointees must be members of the Executive board or Rep Council. Appointees may return to fulfill the remainder of their unexpired term of their previously held elected position. In the event of a vacancy of more than one year an election will be held to fill the vacancy.
8. The Secretary/Treasurer shall:
- a. Supervise and cause to be maintained a detailed record of all receipts and expenditures of the Association and to present this information in a quarterly financial report the Representative Council and the Executive Board;
 - b. Present a written financial report at least quarterly for the Representative Council and the Executive Board;
 - c. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership;
 - d. Schedule the auditor's findings to be presented to Executive Board.
 - e. Supervise the maintenance of an accurate list of membership;

- f. Cause membership and financial reports to be submitted to CTA, NEA, or other agencies as required by law.
- g. Serve as resource person to the Membership Committee.
- h. In the event of a vacancy of less than one year duration, the Executive Board shall appoint, with Rep Council approval, a person to fill the vacancy for the duration of the unexpired term. Appointees must be members of the Executive Board or Rep Council. Appointees may return to fulfill the remainder of their unexpired term of their previously held elected position. In the event of a vacancy of more than one year an election will be held to fill the vacancy.

IX. EXECUTIVE BOARD

1. The Executive Board shall be composed of the officers and eight (8) other members elected on a proportionate basis as follows:

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|---|------------|
| K-6 | 3 members |
| Middle | 1 member |
| 9-12 | 2 members |
| Special Education | – 1 member |
| Specialized Groups (Counselors, Speech Therapists, Home & Hospital Instructors, Nurses, District Office, Independent Study, Adult Education and ECE as one group) | – 1 member |
2. All members of the Executive Board shall be and remain members of the UTP as a condition for nomination to and service in this position.
3. The members of the Board shall be elected for a term of two (2) years commencing on July 1 of any calendar year.
4. Vacancies in the position of members of the Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. In the event of a vacancy of less than one year duration, the Executive Board shall appoint, with Rep Council approval, a person to fill the vacancy for the duration of the unexpired term. Appointees must be members of the Executive Board or Rep Council. Appointees may return to fulfill the remainder of their unexpired term of their previously held elected position. In the event of a vacancy of more than one year an election will be held to fill the vacancy.
5. The Executive Board shall meet prior to 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 Board.

6. The duties of the Executive Board shall be to:
 - a. Coordinate activities of the Association;
 - b. Act for the Representative Council when school is not in session;
 - c. Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council;
 - d. Remove bargaining team members with approval of Representative Council;
 - e. Approve all purchases and payments;
 - f. Approve expenditures for emergency purposes.
 - g. Provide for adequate bonding of the officers and staff entrusted with funds of the Association;
 - h. Recommend to the Representative Council the appointment of UniServ Staff;
 1. Approve a committee to screen and recommend candidates for appointment as UniServ Staff;
 2. Determine the salary, and terms of employment and submit same to Representative Council for approval prior to contractual commitment of a UniServ Staff person;
 3. Cause an annual evaluation of UniServ Staff by the completion of official evaluation instruments as developed by the UniServ Director Evaluation Committee;
 - i. Enforce all provisions of the Articles of Incorporation, Bylaws and Standing Rules of the San Juan Teachers Association;
 - j. Recommend a Budget for the Association to the Representative Council;
 - k. Approve Committee appointments: and
 - l. Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions which may be imposed by the Representative Council.
7. A quorum for all meetings of the Executive Board shall consist of six (6) members of the Board.
8. Executive Board members are required to attend 2/3 of regularly scheduled meetings.

X. BARGAINING TEAM

1. The bargaining Team and such alternates as the Executive Board deems necessary shall be nominated by the President and approved by the Executive Board and Representative Council.

1a. The Bargaining Committee shall consist of a diverse group of members who are committed to representing all unit members

2. The chairperson of the team shall be determined by the president.
3. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from a list of alternates.
4. The Executive Board, by a two-thirds (2/3) majority, may remove a member of the bargaining team and appoint a replacement from the list of alternates with approval of Representative Council.
5. The duties of the bargaining team are to represent and to bargain for the bargaining units(s).
6. 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 membership.
7. Members shall be surveyed to determine contents of the contract proposals.
8. The bargaining team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
9. The Executive Board shall provide of the dissemination of information regarding bargaining and the activities of the bargaining team to the general membership.
10. 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 agreements have been ratified by Active members of the Association.

XI. GRIEVANCE PROCESSING

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

XII. NOMINATIONS AND ELECTIONS

1. Nominations for office shall be made as follows:
 - a. Any active member, at his/her written request, shall have his/her name placed upon the ballot for an office of the Association;

- b. The name of any active member may be placed in nomination by any other member, with the consent of the nominee.
- 2. Elections of officers, Executive Board members at large, State Council Representative(s), NEA Delegates shall be conducted prior to May 20th by secret ballot of general membership, meeting any deadlines set by CTA or NEA.
 - a. The outcome of the election shall be determined by the person who receives the most votes.
- 3. Faculty Representative shall be elected by open nominations and secret ballot by and from the active members who are assigned to that faculty. The procedure may be modified if the election is uncontested or there are as many or fewer candidates than positions available.
- 4. The President shall appoint an election committee and chairperson, subject to the approval of the Executive Board, to conduct all elections of the Association.
- 5. In the event of a vacancy of less than one year duration, the Executive Board shall appoint, with Rep Council approval, a person to fill the vacancy for the duration of the unexpired term. Appointees must be members of the Executive Board or Rep Council. Appointees may return to fulfill the remainder of their unexpired term of their previously held elected position. In the event of a vacancy of more than one year an election will be held to fill the vacancy.

XIII. RECALL ELECTIONS

- 1. A recall of any person in an elective position may be initiated by a petition signed by one-third (1/3) of the Active membership of their particular constituency. A statement of the reasons for the proposed recall shall be part of the recall petition.
- 2. Each person named in the recall petition shall have the right to make a rebuttal statement which shall be distributed to their constituency at least seven (7) days before the recall election.
- 3. Recall elections shall be by secret ballot.

XIV. CTA STATE COUNCIL REPRESENTATIVES AND NEA DELEGATES

- 1. All representatives to CTA State Council and the NEA Representative Assembly, to which the Association is entitled, shall be elected by and from the active membership of the Association. Such elections shall be by open nominations and by secret ballot.
- 2. CTA State Council Representative(s) shall be elected for a term as specified by CTA.
- 3. NEA delegates shall be elected for a term of one year.
 - a. Responsibility of the delegates shall be:
 - 1. Attend all sessions;

2. Prepare and submit to Rep Council a report detailing the proceedings of the NEA;
 3. Attend Rep Council as a member or ex officio member for the following year as needed.
- b. Persons not meeting these requirements will be excluded from seeking another term.
4. "If the number of Candidates for delegate positions is equal to or less than the number of position to be filled, elections may be waived, and the candidates declared elected to the delegate positions in question." This ruling applies to both state and local delegate elections.

XV. COMMITTEES

1. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the Representative Council.
2. Each committee shall submit periodic reports to the Executive Board and Representative Council.
3. In the event of a vacancy of less than one year duration, the Executive Board shall appoint, with Rep Council approval, a person to fill the vacancy for the duration of the unexpired term. Appointees must be members of the Executive Board or Rep Council. Appointees may return to fulfill the remainder of their unexpired term of their previously held elected position. In the event of a vacancy of more than one year an election will be held to fill the vacancy.

XVI. MEETINGS OF THE GENERAL MEMBERSHIP

1. Meeting of the Association may be called by the President, the Executive Board or by written petition of twenty(20%) percent of the membership.
2. Notices of the Association Meetings including date, place, time, and purpose of meeting shall be made available to all members of the Association at least two (2) days prior to the meeting except during crisis situations.
3. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.
4. A quorum for meeting of the Association shall be thirty-five (35%) percent of the Active Membership.

XVII. PARLIAMENTARY AUTHORITY

1. 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.

2. Robert's Rules of Order. Newly-revised, latest edition, shall be the authority on all questions of parliamentary procedure not otherwise provided for in these bylaws.

XVIII. AMENDMENTS

1. 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 provided notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and made available to all members of the Council at the meeting preceding the one at which it is to be voted upon.