

east whittier education association

Association Bylaws

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Article I. Name and Location

The name of this Association shall be the East Whittier Education Association/CTA/NEA, located in Los Angeles County.

Article II. Purpose

- Section 2.01 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;
- Section 2.02 To form a representative body capable of developing group opinion on professional matters to speak with authority for teachers;
- Section 2.03 To provide an opportunity for continuous study and action on problems of the profession;
- Section 2.04 To provide a means of representation for its ethnic-minority members;
- Section 2.05 To promote professional attitudes and ethical conduct among members;
- Section 2.06 To encourage cooperation and communication between the profession and the community; and
- Section 2.07 To foster good fellowship among members.

Article III. Affiliation with the CTA/NEA

- Section 3.01 The East Whittier Education Association shall be a chartered chapter of the California Teachers Association (CTA).
- Section 3.02 The East Whittier Education Association shall be an affiliated local association of the National Education Association (NEA).

Article IV. Membership

- Section 4.01 Categories of Membership. There shall be five categories of membership in the Association: Active, Staff, Student, Retired and Associate (as evidenced by the completion of the EWEA/CTA/NEA enrollment form).
- Section 4.02 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 East Whittier City School District, 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 teachers' bargaining unit.

- Section 4.03 Membership may be granted upon initiation of payroll deduction or upon payment of annual Chapter/CTA/NEA dues appropriate to the class of membership.
- Section 4.04 The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- Section 4.05 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.
- Section 4.06 An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- Section 4.07 Active members shall adhere to The Code of Ethics of the Education Profession.
- Section 4.08 The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, religion, ethnic group, marital status, national origin or sexual orientation.
- Section 4.09 No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure.
- Section 4.10 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.

Article V. Dues, Fees, and Assessments

- Section 5.01 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.
- Section 5.02 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 at the last regular meeting of the school year.
- Section 5.03 East Whittier Education Association shall apportion any negotiated representation fee or organizational (agency) security fee on the same percentage basis as EWEA/CTA/NEA dues.
- Section 5.04 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 not either paid the established annual membership dues for

the current membership year, or made satisfactory arrangements for payment, then that person's active membership shall be considered delinquent and the name dropped from the rolls.

Article VI. Policy-Making Body

Section 6.01 The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of members of the Association, derives its powers from and shall be responsible to the membership.

Section 6.02 The Representative Council shall be composed of the following Active members:

- (a) Executive Board, ex-officio;
- (b) Faculty Representatives elected on the basis of one-person one-vote;
- (c) The following additional representatives:
 - (i) Elected Service Center Council Representative(s), when not already serving on the Representative Council in another capacity;
 - (ii) Committee Chairpersons, ex-officio non-voting;
 - (iii) CTA State Council Representatives, if any; and
 - (iv) Any members of the Association who hold CTA/NEA offices or committee appointments, ex-officio non-voting.

Section 6.03 The Representative Council shall:

- (a) Approve 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 of the Association.

Section 6.04 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.

Section 6.05 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 membership.

Section 6.06 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.

Section 6.07 Notices 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.

Section 6.08 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.

Section 6.09 A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

Section 6.10 Members of the Representative Council shall serve a term of 1 year(s). (Except for the STA state council representatives, whose terms are set by CTA).

Article VII. Faculty Representatives

Section 7.01 Faculty representatives shall be elected by and from the Active membership for each faculty group.

Section 7.02 Each faculty shall be entitled to at least one representative and shall have one representative for each 15 Association members on the faculty.

Section 7.03 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 Representative Council as individual school faculty groups.

Section 7.04 Vacancies: Vacancies in the office of Representative for whatever cause may be filled by properly elected or appointed replacements.

Section 7.05 Faculty Representatives shall:

- (a) Conduct constant and ongoing 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 prescribed by the Executive Board.

Section 7.06 A Faculty Representative may not conduct an election in which he/she is a candidate.

Article VIII. Officers

Section 8.01 The officers of the Association shall be a President, a First Vice- President, a

Second Vice- President, a Secretary, and a Treasurer.

- Section 8.02 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.
- Section 8.03 These officers shall be elected by and from the Active membership of the Association. Such election shall be by open nominations and secret ballot.
- Section 8.04 Officers shall be elected for a term of 2 year(s), commencing on July 1 of any calendar year.
- Section 8.05 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. If there is a vacancy occurring in the office of the President, the First Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the un-expired terms.
- Section 8.06 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 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) Be familiar with the governance documents of the Association, CTA, and NEA;
 - (e) Appoint all chairpersons and members of committees, and of the Bargaining Team, with the approval of the Executive Board;
 - (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 directed by the Representative Council; and
 - (j) Shall serve as ex-officio member of all committees.
- Section 8.07 The First Vice-President shall:
- (a) Serve as assistant to the President in all duties of the President;
 - (b) Assume the duties of the President in his/her absence;
 - (c) Perform such other duties as may be assigned by the Executive Board and

Representative Council;

- (d) In the event a vacancy occurs in the office of President, the First Vice President shall immediately assume the office of President, and shall assume his own term of office for the year following the year of the vacancy; and
- (e) Be coordinator of Association's committee activities and Association's calendar.

Section 8.08 The Second Vice-President shall:

- (a) Assume the duties of the First Vice-President in his/her absence;
- (b) Serve as Service Activities Director for the Association;
- (c) Serve on the Membership and Retirement Committee; and
- (d) Perform such other duties as may be assigned by the Executive Board or the Representative Council.

Section 8.09 The Secretary shall:

- (a) Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board;
- (b) Oversee 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;
- (c) Assure that an accurate roster of the membership of the Association and of all committees is maintained;
- (d) Assure that a record be maintained of all elected and appointed representatives and committee members and respective terms of office;
- (e) Assure that a record is maintained of attendance of the Representative Council and Executive Board Meetings; and
- (f) Carry on the correspondence pertaining to the affairs of the Association as directed by the President;

Section 8.10 The Treasurer shall:

- (a) Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
- (b) Pay out such funds upon orders of the President;
- (c) Prepare a written financial report for each regular meeting of the Representative Council and Executive Board;
- (d) Be responsible for an annual audit of the books of the Association and

distributing a summary of this audit to the membership;

- (e) Submit membership and financial reports to CTA, NEA, and other agencies as required by law; and
- (f) Serve on the Membership and Retirement Committee.

Section 8.11 The Past President shall:

- (a) Ensure the continuity of East Whittier Education Association business as a resource person;
- (b) Provide parliamentary procedure decisions at all East Whittier Education Association meetings if needed;
- (c) Help make an orderly transition of Presidential materials to the new President; and
- (d) Attend Executive Board meetings and Representative Council, ex-officio.

Article IX. Executive Board

Section 9.01 The Executive Board shall be composed of the 5 officers and 2 members elected at large from the membership, as long as this complies with the “one-person – one-vote” rule.

Section 9.02 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.

Section 9.03 The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.

Section 9.04 The at-large members of the Executive Board shall be elected for a term of 2 years, commencing on July 1 of any calendar year.

Section 9.05 Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within forty-five days.

Section 9.06 A vacancy exists if any Executive Board member ceases to be a member in good standing or is absent without proper excuse more than three times during any one term in office. The Board shall determine whether or not a particular absence is with proper excuse.

Section 9.07 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.

Section 9.08 The duties of the Executive Board shall be to:

- (a) Coordinate the 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) Approve appointment and removal of Bargaining Team members;
- (e) Recommend a budget for the Association to the Representative Council;
- (f) Approve Committee appointments;
- (g) Adopt the Standing Rules for the Association; and
- (h) 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.
- (i) Shall appoint and/or remove employee/s of the Association, determine their qualifications, fix their compensation, prescribe their duties and require such agreements and bonds as may be necessary to ensure faithful services, except that no written contract with an employee of the Association shall be signed or dissolved without the approval of the Representative Council.
- (j) A quorum for all meetings of the Executive Board shall consist of a majority of the members of that body.

Article X. Meetings of the General Membership

Section 10.01 Meetings of the Association may be called by the President, the Executive Board, or by written petition of twenty percent (20%) of the membership.

Section 10.02 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 days before the meeting except during crisis situations.

Section 10.03 For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.

Section 10.04 A quorum for meetings of the Association shall be a majority of the active membership, in those meetings where voting occurs.

Article XI. Bargaining Team

- Section 11.01 The Bargaining Team and such alternates as the Executive Board deems necessary, shall be appointed by the President and approved by the Executive Board.
- Section 11.02 The President shall appoint all members and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- Section 11.03 All members of the Bargaining Team shall have permanent classification in the District.
- Section 11.04 Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- Section 11.05 The Executive Board, by two-thirds (2/3) majority, may remove a member of the Bargaining Team.
- Section 11.06 The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s).
- Section 11.07 Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the membership.
- Section 11.08 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 Association members in that unit.
- Section 11.09 The Bargaining Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- Section 11.10 The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- Section 11.11 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 the membership in the appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that membership.

Article XII. Grievance Process

- Section 12.01 The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- Section 12.02 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.

Article XIII. Nominations and Elections

Section 13.01 There shall be an appointed Elections Committee.

Section 13.02 Elections shall be conducted with:

- (a) Open nomination procedure;
- (b) Secret ballot;
- (c) All-member vote;
- (d) Record of voters receiving or casting ballots;
- (e) Majority vote, unless otherwise specified.

Section 13.03 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.

Section 13.04 NEA State Delegate elections shall be conducted in accordance with CTA guidelines.

Section 13.05 NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.

Section 13.06 The duties of the Elections Committee shall be to:

- (a) Ensure that all chapter/CTA/NEA election codes and timelines are followed;
- (b) Establish election timelines;
- (c) Develop and carry out timelines and procedures;
- (d) Prepare ballots for election of officers and such other elections as may be necessary;
- (e) Count the ballots and certify the results;
- (f) Handle initial challenges.

Article XIV. Committees

Section 14.01 Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the Representative Council.

Section 14.02 Each committee shall submit periodic reports to the Executive Board and

Representative Council.

Article XV. 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.

Article XVI. Amendments/Procedures:

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.