

# **ORANGE UNIFIED EDUCATION ASSOCIATION BYLAWS**

Orange Unified Education Association/CTA/NEA

## **I. NAME AND LOCATION**

The official name of this Association shall be the Orange Unified Education Association/CTA/NEA in Orange County, California.

## **II. PURPOSES**

The primary purposes of this Association shall be:

- 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 promote cooperation and communication between education support professionals and certificated educators;
- 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. AFFILIATION WITH CTA/NEA**

- A. The Orange Unified Education Association shall be a chartered chapter of the California Teachers Association (CTA).

- B. The Orange Unified Education Association shall be an affiliate local association of the National Education Association (NEA).

#### **IV. MEMBERSHIP**

- A. Categories of Membership. There shall be categories of membership in the Association: Active and Retired. 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 Orange Unified School District, and whose primary assignment is such as not to hold evaluatory responsibility over other 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 Association/CTA/NEA dues.
- 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, and is not an Active member.
- 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, political beliefs, or religion.
- I. No member of the Association may be disciplined 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 operation 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 active membership of the Association at the last regular meeting of the school year.
- C. The Association shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full Association/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, 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;
  - 2. Faculty Representatives elected on the basis of one-person one-vote;
  - 3. The following additional representatives

- a) The Chairperson of the OUEA Retirees and two additional representatives, appointed by the OUEA Retirees Board, shall be entitled to be non-voting members of the Representative Council, once notification of their appointments have been received by the OUEA Board of Directors. Retiree Representatives will serve for the current school year, or until the OUEA Retirees Board notifies the Association that they are no longer representing the Retiree group, whichever occurs first.
  - b) Any Active Member shall be entitled to be a non-voting member of the Representative Council.
- C. The Representative Council shall:
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; 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 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. Representative Council meetings may be held in an electronic format, such as a webinar only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the

webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.

- J. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.
- K. Members of the Representative Council shall serve a term of 1 year.

## **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. Each site unit shall be entitled to at least one representative and shall have one representative for each **15** Active members on the faculty, or fraction thereof.
  - 1. Site Representatives shall be elected annually by and from the Active membership of each Unit by secret ballot.
- C. Site Representative(s) terms begin August 1<sup>st</sup> of each year.
- D. Active members who are not represented through an individual school faculty group shall be counted as a special segment group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies: Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Site Representatives shall:
  - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty/site 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; and
  - 4. Perform such additional duties as prescribed by the Executive Board.

- G. 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 a President, a Vice- President, and a Secretary, and a 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 2 year(s), commencing on July 1<sup>st</sup> of any calendar year. No person shall serve in the same office in excess of three (3) full terms, after which at least one (1) full year must elapse before again being eligible to serve.
- 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. If there is a vacancy occurring in the office of the 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 successors to fill the unexpired terms.
- F. The President shall be the chief executive officer of the Association and its policy leader. The Association may provide for the President's full release time from the regular teaching assignment.

The President shall:

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 each school year;

6. Appoint the chairperson and members of the bargaining unit with the approval of the Executive Board by the beginning of each school year;
7. Call meetings of the Association, 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 Association and be held responsible for the progress and work of the Association;
10. Attend meetings of the CTA Orange Service Center Council of which the Association is a part; and
11. Attend other CTA/NEA meetings as directed by the Representative Council and Executive Board.

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 Association'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 the Association, Representative Council, and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, to members of the Representative Council and Executive Board; and to the membership when appropriate in coordination with the OUEA office staff;

3. Keep an accurate roster of the membership of the Association and of all committees in coordination with the OUEA office staff;
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President in coordination with the OUEA office staff;
5. All records shall be maintained at the Association's offices.

I. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting in coordination with the OUEA office staff;
2. Pay out such funds upon orders of the President in coordination with the OUEA office staff;
3. Provide 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 membership in coordination with the OUEA office staff and the accountant/auditor;
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law in coordination with the OUEA office staff;
6. Chair of Budget Committee;
7. All records shall be maintained at the Association's offices.

## **IX. EXECUTIVE BOARD**

- A. The Executive Board shall be composed of the elected officers, Elementary Segment Director(s), Secondary Segment Director(s), Special Segment Director(s), and CTA State Council Delegates members elected at large from the Active membership
- 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.



1. Elementary Segment Directors shall be elected in the Annual General Election for staggered two-year terms so that one such Director takes office at the close of the June Representative Council meeting each year. Elementary Segment Director(s) shall be elected on a ratio of one (1) per two-hundred-fifty (250) active elementary classroom teacher members (or major fraction thereof).
  2. Secondary Segment Directors shall be elected in the Annual General Election for staggered two-year terms so that one such Director takes office at the close of the June Representative Council meeting each year. There shall be one (1) Middle School Secondary Segment Director for each two-hundred-fifty (250) active middle school members (or major fraction thereof); and one (1) Senior High Secondary Segment Director per two-hundred-fifty (250) active high school members (or major fraction thereof).
  3. The Special Segment Director(s) shall be elected to serve a two-year term. The Special Segment Director shall take office at the close of the June Representative Council meeting. The Special Segment Director represents certificated persons not assigned to the classroom. There shall be one (1) Special Segment Director elected for each two-hundred-fifty (250) active members (or major fraction thereof) in the special segment category.
  4. Representatives to the State Council of Education of the California Teachers Association shall be elected by the active membership in the Annual General Election (as per Article VI C) to serve for a three-year term. State Council Representatives(s) shall perform analogous duties to and from the State organization similar to those duties assigned to Faculty Representatives to be performed to and from the Association.
- C. The members of the Executive Board shall be elected with open nominations and by secret ballot.
- D. The members of the Executive Board shall be elected for a term of 2 year(s), commencing on July 1<sup>st</sup> of any calendar year, except for CTA State Council Delegates elected on CTA timeline and serving 3-year terms. No person shall serve in the same office in excess of three (3) full terms, after which at least one (1) full year must elapse before again being eligible to serve, except for CTA State Council Delegates who shall be bound by the CTA elections rules.
- E. Vacancies: Vacancies in members of the Executive Board for whatever cause may be filled by properly elected replacements.

- F. 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 Executive Board.
- G. The duties and the responsibilities of the Executive Board are:
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 established by the Representative Council;
  4. Approve appointment and removal (2/3 vote) of bargaining team members;
  5. Recommend a budget for the Association to the Representative Council;
  6. Approve all appointments to and removal (majority vote) of committees, including chairpersons;
  7. Adopt the Standing Rules for the Association;
  8. Adopt grievance procedure;
  9. Direct the grievance activities of the Association; 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 that may be imposed by the Representative Council.
- H. 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 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 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 Association membership of meeting dates, places and times.
- D. General Membership meetings may be held in an electronic format, such as a webinar only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.
- E. A quorum for meetings of the Association shall be at least one-third (1/3) of the active membership.

## **XI. BARGAINING TEAM**

- A. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- B. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- C. The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- D. 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.
- E. The Bargaining Team is empowered to reach tentative agreements with the district subject to ratification by the Active membership.
- F. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s).
- G. 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 Representative Council.
- 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

Association 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 that active membership.

## **XII. 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:
  - 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 the Association's grievance policies and procedures.

## **XIII. NOMINATIONS AND ELECTIONS**

- A. There shall be an appointed Elections Committee. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year.
- 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; and
  - 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/NEA rules.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.

- F. The duties of the Elections Committee shall be to:
1. Ensure that all Association/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.
- G. 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 all Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held.

#### **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**

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.

#### **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.

# **ORANGE UNIFIED EDUCATION ASSOCIATION STANDING RULES**

## **STANDING RULE 1: IDENTIFICATION AND GOALS**

- A. The Board of Directors shall develop and recommend to the Representative Council, for its consideration and adoption, specific goals for the current school year. These goals shall be adopted no later than the October meeting.
- B. The governing body of the association is referred to as “Executive Board” in the Bylaws and as “Board of Directors” in the Standing Rules.

## **STANDING RULE 2: MEMBERSHIP**

- A. Any employee eligible for membership in the Association may execute a payroll deduction authorization form for payment of dues in connection with an application for membership. This authorization shall remain in effect until revoked by the member or termination of employment in the Orange Unified School District. Non-payroll members may have a dues payment schedule established and collected through the Association office.
- B. Cash collection of dues will be accepted for full payment of unified dues.
- C. A prorated membership signup shall be offered to new employees of the Orange Unified School District on a one-time basis only.

### **STANDING RULE 3: MEMBERSHIP DUES**

- A. Annual. Local membership dues for Active members shall be at the base level of the previous year unless an increase is approved by vote of the Representative Council.
- B. OUEA/CTA/NEA dues are determined by placement of the appropriate category of the current dues structure.



## **STANDING RULE 4: ELECTIONS**

### **NOMINATIONS AND ELECTIONS**

#### **A. Elections Committee**

1. The Elections Committee shall consist of three (3) persons appointed for staggered three-year terms. Appointment to this Committee shall be made to fill prospective vacancies each year by action of the Board of Directors upon nomination by the incoming President.
2. The Elections Committee shall conduct all General Elections, shall prepare the final wording and complete technical details of ballots and election timelines, and shall assist the President in counting votes at all meetings of the Representative Council.
3. Members of this Committee shall not hold any other elective or appointive office within the organization during the time of such service. Any Association member who is either a candidate on the ballot or whose immediate family member is a candidate shall abstain from all election committee activities on that particular ballot.
4. The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.

#### **B. Election Requirements**

1. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). The only qualification for office shall be Active membership in the chapter.
2. Every Active member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) calendar day period between notice of election and the actual voting.
4. There shall be an all Active member vote. A member who is on leave shall be sent election information by mail to his/her last known residence upon request.
5. A chapter shall provide means for all Active members to vote (including vote by mail), and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly scheduled voting place.
6. An Active member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on the outer envelope when returning the voted ballot that was mailed.

C. Announcement

1. The announcement of election shall include the offices, length of terms, and the election timeline.
2. The announcement shall be publicized in a manner that ensures every member has an opportunity to file a declaration of candidacy.

D. Nominations

1. Any active member may be nominated, or nominate themselves, for any position for which they are eligible.
2. In the event that no one has been nominated for a position within the given timeline, nominations can be accepted during the Representative Council meeting following the nomination deadline.
3. In the event that no one is nominated during the Representative Council following the nomination deadline, a write-in provision for that position will be provided for the election.
4. In the event that no one is elected through the write-in provision, the position will remain open until the following year. If a nominee comes forward after the write-in provision/election has been completed, a special election may be held with the approval of the Board of Directors.

E. Timeline

1. Schools/Work sites on alternative calendars shall be considered when setting election timelines.
2. The timeline for the election shall include dates for:
  - a. Announcement of vacancy(ies) and term(s) of office using a method that will ensure each member is aware of the opportunity to file a declaration of candidacy;
  - b. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;
  - c. Place, time and date of receipt (date received, not post-marked date) for declaration of candidacy forms;
  - d. Final date to acknowledge candidates' declaration of candidacy and final date to submit candidate statement;
  - e. Dates for beginning and end of campaigning period;

- f. Date for preparation of ballots;
- g. Date on which ballots will be distributed;
- h. Date by which to request a ballot;
- i. Date(s) when voting will take place;
- j. Deadline date (date received, not post-marked date), time and place for return of ballots;
- k. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots;
- l. Date that announcement of results shall be made to leadership, candidates, members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots;
- m. Dates and timelines for run-off election, if necessary; and,
- n. Deadline for filing of challenges to initial election and run-off if held (date received, not post-marked date).

F. Finances and Use of Unit Resources

- 1. Chapter monies received through dues, assessment or similar levy shall not be used to promote any candidate.
- 2. A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.
- 3. A unit may not state or indicate its preference for a candidate in the unit's publications.
- 4. The use of links to any Association web site by a candidate is prohibited.
- 5. The Association shall not make available personal emails to candidates.
- 6. District email addresses, photocopiers, fax machines, shall not be used for campaigning.

7. A candidate may not use district physical mailboxes for OUEA campaigning purposes. Additionally, a candidate may not use inter-district mail for campaigning purposes.
8. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of the unit, CTA, or any of its affiliates.

#### G. Candidate's Rights

1. Privileges extended to one candidate shall be extended to all candidates.
2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
3. Each candidate may submit to the association office a candidate statement of up to one hundred (100) words within the aforementioned timeline. This statement will be submitted to the association members for informative purposes prior to the election.
4. Each candidate shall have the right to a list of the name and address of work sites and the number of Active members at each site for the purposes of campaigning.

#### H. Ballot

1. The names of the candidates shall be printed on the ballot in CTA alphabetical order. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.  
In the event that the last name of more than one candidate begins with the same letter or more than one candidate has the same last name, the CTA alphabetical order shall continue to be applied throughout the name including the first name.
2. The ballot shall state the name of the office/position, the term, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.

#### I. Distribution of Ballots and Method of Voting

1. Each member shall have access to a ballot.
2. Voting shall be by one or a combination of the following methods:

- a. At School/Work Site/Specified Voting Site: If a Site Representative is a candidate, he or she may not conduct the election.
  - b. Voting At School/Work Site(s)/Specified Voting Site: Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
  - c. The marked ballot must be returned to a designated site representative or ballot box or envelope.
  - d. Site representatives must return all voter roster/sign-up sheets and ballots to the Association office by the designated date and time. Ballots must be secured and uncounted. Roster/Sign-up sheets and ballots from each site must be kept together until verified by the Elections Committee.
  - e. Active members who are off-track or on a dues paying leave shall be notified in order to provide them an opportunity and right to vote.
  - f. Preliminary counts shall not be completed at school/work sites.
3. When the voting is conducted by mail, the procedure shall be as follows:  
Active members who are on a dues paying leave shall be notified in order to provide them an opportunity to vote.  
Special care should be taken in all phases of handling of ballots to ensure the accuracy, security, and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:
- a. Each mail-in voter shall be provided with:
    - 1) A ballot; Inner envelope; Outer return envelope, addressed to the chapter
    - 2) Instructions on:
      - a) Folding and placing of the ballot in the unsigned inner envelope;
      - b) Placing of the unsigned inner envelope into the outer envelope;
      - c) Signature and school on the outer envelope addressed to the chapter; and

- d) Deadline date for receipt of the voted ballot at the chapter office.
- b. The ballot shall be date stamped when it is received in the chapter office and then put in a secure place until the votes are to be counted.
- c. At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.
- d. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
- e. All inner envelopes shall be placed in a separate receptacle.
- f. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

J. Vote Requirement:

All vote requirements shall be established in accordance with CTA guidelines. Unless otherwise specified, all elections shall be decided by majority vote. Write-in votes are valid and must be counted.

1. A majority vote means more than half of the legal votes cast for each office/position on the ballot.
2. A plurality vote means the largest number of votes to be given any candidate or issue.
3. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
4. For unit officers, the election will be by majority.
5. For State Council: [See the Election Timelines, Procedures, and Guidelines of the CTA Elections Manual.]  
If a unit is a single electoral district or a multiple unit electoral district, the election for State Council Representative will be by majority vote. Any runners-up will become an Alternate. There will be no more alternates than seats allocated to OUEA by CTA. If there is more than one alternate, preference in activating alternates will be determined by majority vote from the election. If there are no runners-up, the Alternate position will be vacant until the next scheduled OUEA election. In the event that there is not an open seat for a State Council Representative at the next election, the position of Alternate State Council Representative will be open for election, as appropriate for the number of OUEA Representatives.

6. If a candidate does not receive a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. When there are only two candidates for an office, the candidate receiving the higher number of legal votes cast shall be declared elected. There shall be no provisions for write-in candidates in run-off elections.
7. For NEA Local Delegates, the election will be by majority or plurality vote, as defined in the unit's governance documents. Results must be sent to the CTA Governance Department and to the Service Center Council.
8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. An affiliate utilizing this provision must have adopted a governing provision or election policy allowing such a practice. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates, the election will be by majority or plurality vote as defined in the unit's governance documents. Successor delegates (alternates) are ranked in the order of votes received. Results must be sent to the Service Center Council, which will forward the results to CTA.
10. For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.

K. Counting of Ballots

1. Each candidate may designate one observer, who may be the candidate, to observe the vote counting process. The observer shall not interfere with the work of the Elections Committee and must remain in the room where the vote count is taking place.
2. The Elections Committee shall verify signature sheets with ballots received, and count the ballots, which should be completed immediately following the deadline for receipt of voted ballots.
3. Each office/position on the ballot shall be treated as a separate race.
4. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
  - a. Member not listed on the voter roster;

- b. Voter's intent unclear;
  - c. Votes cast for more than number allowed;
  - d. Votes cast on unofficial ballot (probably reproduced); and,
  - e. Candidate is not a member.
  - f. Ballots that are separated from Roster/Sign-up sheet shall not be counted.
5. Ballots set aside and not counted are:
- a. More ballots than signatures;
  - b. Ballot(s) submitted after deadline; and
  - c. Voting envelopes without a signature.
6. The Elections Committee should categorize each illegal ballot, make a determination on whether the vote(s) in that category should be counted separately, as listed in 4 above, and make a note of the decision. The ballots should remain separate.
7. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.
8. The Chairperson of the Elections Committee will deliver the report of the election results to the president and interested parties. The election results shall be posted at each work site as soon as possible following the election.
9. The ballots and voter sign-up sheets should be retained by the unit for one year after the election.

L. Challenge Procedure

- 1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
- 2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to NEA RA follow procedures in the CTA Elections Manual.



3. The challenging party(ies) must notify the unit president and Elections Chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the election. If the unit president is a candidate on the ballot, please see item number 5.

The notification must be on official CTA Challenge Form. (See Appendix N of CTA Elections Manual – May be accessed on MyCTA)

4. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit's Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether or not the challenge:
  - a. Is a violation of the unit's election requirement(s).
  - b. Is supported by the appropriate documentation.
  - c. Requires more information. The information will be obtained via the most feasible method.
  - d. Identified violation(s) that may have affected the outcome of the election.
  - e. Within the same 10 calendar day period, the unit's Elections Committee shall submit a written report including issues and recommendations to the Chapter President and the CTA Governance Board.
5. Any member of the CTA Governance Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. If in the case where the majority of the CTA Governance Board is unable to act on the challenge the decision shall move to the next highest decision making body according to the unit's governance documents.
6. The CTA Governance Board shall act on the report no later than 10 calendar days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in the CTA Elections Manual. The CTA Governance Board must issue its decisions in writing to the challenger and the Elections Committee Chair.
7. If the challenging party(ies) wish(es) to appeal the decision of the local board of directors, he/she may file an appeal in writing within ten (10) calendar days from the date of the decision of the local board of

directors, to the CTA President. The appeal shall be the original challenge filed at the unit level, and shall include:

- a. Specifically which unit bylaw(s) and/or standing rule(s) have been violated.
  - b. Attached evidence of the violations, insofar as possible.
  - c. List names and address of parties who can give evidence.
  - d. Written response of local board of directors, to original challenge.
8. If the Governance Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described in 7 (a-c) above by writing to the CTA President.
  9. The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.

#### M. Initiative Procedures

1. The Active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
2. An Active member shall file a notice of the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation.
3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60%) or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.

7. If there are insufficient signatures, the petition circulator will be notified within three (3) calendar days that the petition failed for a lack of signatures.
8. The chapter president shall cause a ballot to be furnished to the members no less than fifteen (15) calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

N. Referendum Procedures

1. Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the Active membership upon two-thirds vote of the Representative Council at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
3. The chapter president shall cause a ballot to be furnished to the Active members no less than fifteen (15) calendar days after action by the Representative Council, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

O. Recall Procedures

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's Active members.
2. An Active member shall file a notice of the intent to circulate a petition to recall with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding the office of president, the request shall be made to the next ranking officer.

3. The chapter president shall register the receipt of the notice of the intent to circulate within thirty days, and acknowledge such registration in writing with the member filing the notice.
4. The deadline for gathering signatures a maximum of sixty (60) calendar days following the day that the notice of intent is registered. The petitioners must obtain the signatures of at least twenty-five (25) percent or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The petitioners shall present to the chapter president the petition(s) containing original signatures or the vice president if the chapter president is the person being recalled.
6. The chapter president shall have ten (10) calendar days in which to verify the membership of the signers of the petition or the vice president if the chapter president is the person being recalled.
7. If there are insufficient signatures, or if the petition is submitted after the aforementioned deadline, the petitioners shall be notified by mail within a reasonable time that the petition failed.
8. The chapter president shall cause a ballot to be furnished to the Active members no less than twenty (20) calendar days after verification of membership. The period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.

## **STANDING RULE 5: BOARD OF DIRECTOR DUTIES**

The following duties shall be in addition to those specified in the Bylaws.

### A. Duties and Job Description of the President:

1. Represent the Association on matters of policy or assign, at his/her discretion, responsibility for such representation.
2. Represent the Association at Board of Education meetings.
3. Speak before lay and professional groups.
4. Meet regularly with faculties so as to receive direction from teachers concerning their needs and their conception of Association problems, and to assist the Building Representatives in interpreting the Association's policies, as adopted by the Representative Council, to members of the organization, or assign, at his/her discretion" responsibility for such representation.
5. Promote the goals and objectives of the Association.
6. Devise methods of communication with membership to increase interest and participation.
7. Review Association policies and recommend changes and/or priorities.
8. Assist and advise Association delegations in preparation for attendance at professional conferences and conventions.
9. Sign contracts and other instruments connected with the business affairs and professional activities of the Association.
10. Serve general membership needs.
11. Perform such other duties as may be directed by the Board of Directors and/or the Representative Council.
12. Appoint the Negotiations Team.
13. Recommend removal for just cause of any Negotiations Team member to the Board of Directors.
14. Appoint members of all standing and Special Committees of the Association and appoint the Committee Chairpersons.

### B. Duties of Vice President:

1. Perform such other duties as may be directed by the Board of Directors and/or the Representative Council.
2. Coordinate, with the assistance of the Board of Directors, an in-service program for Building Representatives.

C. Duties of the Secretary:

1. Maintain a record of all elected representatives and their respective terms of office and to notify the Rules and Election Committee of pending vacancies.
2. Maintain a record of attendance of representatives to Representative Council meetings.
3. Notify the Board members of assigned responsibilities following Board meetings.

D. Duties of the Treasurer:

1. Supervise and maintain a detailed record of all receipts and expenditures of the Association and to present this information in monthly and annual financial reports to the Representative Council and the Board of Directors.
2. Issue all checks drawn on the funds of the Association as authorized by the Board of Directors.
3. Maintain an up-to-date membership count for monthly reports to the Representative Council.

E. Duties of the Segment Directors:

1. Assist the Building Representatives in performance of their duties.
2. Call and conduct meetings of teachers within their segment to discuss and make recommendations on areas of concern

## **STANDING RULE 6: BOARD OF DIRECTORS**

- A. The Board of Directors shall designate four (4) names as authorized persons to sign checks drawn upon the accounts of the Association. Two (2) of the four authorized signatures shall be required on all checks; one must be an Association official.
- B. The Board of Directors shall review and make recommendations to the Representative Council on proposals for Association action which are made by individuals and/or organizations who are not members of the Association.
- C. The Board of Directors shall monitor the maintenance of the contract.
- D. The Board of Directors shall establish the procedure for ratification of the negotiated contract.
- E. The Board of Directors may call a meeting of the General Membership whenever the Board deems it appropriate.
- F. Allocation of Site Representatives shall be established by the Board of Directors based on a membership census of each Faculty Unit as of November 1<sup>st</sup> of each calendar year. Once this annual determination is made, it shall remain in effect until the following October 31<sup>st</sup>, unless an appeal for change made by an individual Site Unit is approved by the Representative Council.

## **STANDING RULE 7: REPRESENTATION TO AFFILIATED ORGANIZATIONS**

- A. NEA Delegates:  
NEA Delegates shall serve for staggered 2-year terms. The number of delegates elected each year shall be determined by the number of delegates NEA allocates to the Association. Each year a list of successor delegates shall be established. This list shall be equal in number to the Association delegation to the NEA convention. The successor list shall be composed of those candidates for NEA delegate who were not elected and shall be listed in descending order of the number of votes each received.
- B. Orange County Service Center Council:  
CTA State Council Representatives, along with the Association President, shall automatically be delegates to the Orange County Service Center Council meetings. The additional representation as provided by the Service Center Council Rules of Operation shall be provided by and from members of the Board of Directors on a rotating basis upon designation of the President.
- C. Other Organizations:  
At the direction of the Representative Council, the Association shall participate in membership in other organizations.
1. Selection of Representatives:  
The President shall appoint, with the advice and consent of the Board of Directors, representatives to other organizations.
  2. Responsibilities of Representatives:  
The primary duty of any Association Representative shall be to carry out the policies and goals of the general Association membership contained in policy statements of the Representative Council implemented by ongoing actions of the Board of Directors.
  3. Emergency Alternates:  
In cases where an emergency alternate is needed to attend any meetings at which the Association has an authorized voting delegation, the President shall be empowered to make an appointment for this purpose. When time permits, such appointments shall be approved by the Board of Directors.



## **STANDING RULE 8: STANDING COMMITTEES**

### A. Grievance Committee:

1. The Grievance Committee shall consist of two (2) or more active members by action of the Board of Directors upon nomination by the President. Training shall be provided for the Grievance Committee members.
2. The Grievance Committee policies and procedures will be reviewed bi-annually.
3. The Committee shall make periodic reports to the Board of Directors and Representative Council.

### B. Elections Committee:

1. The Elections Committee shall consist of three (3) persons appointed for staggered three-year terms. Appointment to this Committee shall be made to fill prospective vacancies each year by action of the Board of Directors upon nomination by the incoming President.
2. The Elections Committee shall conduct all General Elections, shall prepare the final wording and complete technical details of amendments to the Governance Documents, and shall assist the President in counting votes at all meetings of the Representative Council.
3. Members of this Committee shall not hold any other elective or appointive office within the organization during the time of such service (**see Standing Rule 5**).

### C. Curriculum and Instruction:

1. The Curriculum and Instruction Committee shall consist of two (2) or more members interested in studying educational problems of teachers and recommending official positions on areas affecting curriculum and instruction.
2. The committee will monitor all District Curriculum and Instruction meetings and actions and study individual teacher curriculum needs.
3. The Committee shall make periodic reports to the Board of Directors and Representative Council.

### D. Education Action Committee:

1. The Education Action Committee (EAC) serves as the screening committee for candidates for local elections and makes recommendations to the Association for support of candidates. The EAC shall consist of at least three (3) active members who contribute to the OUEA PAC fund.
2. The Committee will disseminate information to the membership regarding legislative activity and develop campaigns and programs to help with enactment of legislation and support of candidates.
3. The Committee shall make periodic reports to the Board of Directors and Representative Council.

E. Communications Committee:

1. The Communications Committee shall consist of two (2) or more active members.
2. The Communications Committee shall provide the membership and community with news, and information related to the work and perspectives of the Association.
3. The Committee shall make periodic reports to the Board of Directors and Representative Council.

F. Membership and Community Engagement Committee:

1. The Social Committee shall consist of two (2) or more members.
2. The Social Committee will promote and maintain member engagement through social events and communications.
3. The Committee shall make periodic reports to the Board of Directors and Representative Council.

G. Bylaws and Standing Rules Committee:

1. The Bylaws and Standing Rules Committee shall consist of two (2) or more active members by action of the Board of Directors upon nomination by the President.
2. The Bylaws and Standing Rules Committee will review and recommend amendments to the OUEA Bylaws and Standing Rules.
3. These recommendations will be presented to the OUEA Board of Directors and OUEA Representative Council as appropriate.

H. Budget Committee:

1. The Budget Committee shall consist of the Treasurer and two (2) more active members by action of the Board of Directors upon nomination by the President.
2. The Budget Committee will review and update the OUEA annual budget.
3. These recommendations will be presented to the OUEA Board of Directors and OUEA Representative Council as appropriate.

I. Special Education Issues Committee:

1. The Special Education Issues Committee shall consist of two (2) or more active members. At least 50% of the committee shall be educators who hold special education credentials.
2. The committee will review issues regarding areas affecting curriculum and instruction as well as working conditions of educators in the special education field. The committee chair will function as a liaison between the Board of Directors and OUSD.
3. The Committee shall make periodic reports to the Board of Directors and Representative Council.

## **STANDING RULE 9: REIMBURSEMENT OF EXPENSES**

- A. Transportation Reimbursement: The Board of Directors shall establish rules and procedures for reimbursement of transportation expenses for members who attend meetings on behalf of the Association. Such rules shall be in writing and provided to members prior to their incurring such expense.
- B. Lodging Reimbursement:
  - 1. Actual amount paid, to be based on single occupancy.
  - 2. Personal charges such as laundry, valet, personal telephone calls, and entertainment costs are not reimbursable.
- C. Expenses Reimbursement for Meals: Daily allowance involving more than one meal shall follow CTA Standing Rule 1-7 regarding reimbursement. Single meals may not exceed 60% of current CTA daily allowance.
- D. Receipts: Receipts must accompany charges for transportation and lodging. Meals shall be reimbursed at the CTA/NEA rate.
- E. Each individual requesting reimbursement for Association expenses is responsible for filling out the appropriate form. All requests for reimbursement must include receipts. Prior to reimbursement, the form must be filled out completely indicating the purpose of the expense. A group meal must include names of persons involved and the activity.
- F. Vouchers with receipts must be received within thirty (30) calendar days after performance of Association related responsibilities. There will be no payment of monies for subsequent related Association responsibilities for members who have failed to clear previous expenses.
- G. Any exceptions or variations from the above rules must be authorized by the Board of Directors.
- H. The Association shall develop a system to track Accounts Payable, Dues Receivable and any other funds due the Association.

## **STANDING RULE 10: GRIEVANCE PROCESSING**

- A. General: The Association shall insure that the School Board adheres to the terms and conditions of the collective agreement and shall insure fair and equitable treatment of all members of the bargaining unit by the District. The Association shall act to represent the interest of any unit member involved in a personal grievance.
  
- B. Processing Grievance (Non-Arbitrated): Association members shall be entitled to representation through the Association Executive Director or President or their designees for any grievance which member wishes to process. The Association Executive Director or President may recommend that the member either drop the grievance and/or proceed to any step referred to in this section; however, the ultimate decision shall be made by the member having the grievance.
  
- C. Processing Grievances (Arbitration): Association members shall be entitled to representation including legal fees and cost of arbitration, provided that submission of grievance to arbitration be referred to and approved by the Board of Directors. Members seeking to pursue grievances to arbitration shall have the right to appeal decisions of the Executive Director and/or the Board of Directors to the Representative Council. The Representative Council shall have final decision-making authority relative to the arbitration of grievances.

## **STANDING RULE 11: PERSONNEL POLICIES - STAFF**

### A. Executive Director:

1. **Terms of Employment**  
The contract terms and conditions for employment of the Association Executive Director and any supplementary professional staff shall fall within any general policies established by CTA/NEA.
2. **Job Description:**  
Written job descriptions will conform to CTA Professional Staff Rules and Regulations for members of professional staff employed by or contracted for by the Association.

### B. Secretarial and Clerical Staff:

Subject to the approval of the Board of Directors, Association President shall recommend the employment of the secretarial and clerical staff for the Association.

1. **General:**  
The Association employment policies for secretarial and clerical staff shall approximate those similar policies in effect for analogous classified personnel of CTA/NEA.
2. **Supervisory Relationships:**  
The Association President shall be considered to be the immediate supervisor of Association secretarial and clerical employees.

## **STANDING RULE 12: ENDORSEMENT**

Endorsement of any product or service for use by OUEA members shall be approved by action of the Executive Board with concurrence of the Representative Council. Prior to any OUEA Board action taken to recommend to the Council for endorsement of any medical or dental services by OUEA for its members, the proposal shall be submitted to CTA Special Services for their review and recommendation. Additionally, any such proposal shall be reviewed by legal counsel of OUEA to determine Association liability and/or legal ramifications for the Association and its members.

### **STANDING RULE 13: GIFTS OR DEDICATIONS**

Gifts or dedications made to members of the Association for deaths, illness, hospital confinement, etc. shall be made by the Treasurer of the Association or his/her designees with review by the Board of Directors at its regularly scheduled meeting.



## **STANDING RULE 14: ENDORSEMENT PROCEDURES/SCHOOL BOARD ELECTIONS**

- A. The Association shall have two classifications of incumbent endorsement: Early friendly endorsement and regular endorsement. The regular endorsement shall also apply to non-incumbents.
1. The Association when making an endorsement of an incumbent member of the Board of Education shall consider the incumbent's performance over the previous four years of service based on the following criteria:
    - a. Listens to needs of Association members and responds to those needs.
    - b. Shares concerns with the Association members about meeting the educational needs of the Districts.
    - c. Demonstrates support for improvement in the instructional program.
    - d. Attempts to give leadership on the Board to resolve problems fairly and productively.
- B. The Board of Directors of the Association may recommend an early friendly incumbent endorsement to the Representative Council. An interview shall not be required for a friendly incumbent endorsement.
1. Endorsement Procedures:
    - a. The President shall appoint an Association interview committee made up of the Association PAC Chair, four officers/board members, and three members of the Association PAC Committee.
    - b. The PAC of the Association shall develop a candidate questionnaire which shall be approved by the Board of Directors prior to its use.
    - c. This committee shall conduct any and all candidate interviews. The association shall mail a questionnaire to all declared candidates for the OUSD Board of Education explaining the interview procedures. The questionnaire packet will include a request for the name of the candidate election committee name and an explanation on the association PAC rules against direct funding of multiple candidate slates.
    - d. All declared candidates must be given an opportunity to interview with the interview committee. However, no candidate may interview if they have not completed the written candidate questionnaire.
    - e. The interview committee shall establish a numerical rating consistent for all candidates.
    - f. After interviewing all candidates who qualify, the interview committee shall make a recommendation of endorse, or not endorse for each Board position. This recommendation together with written rationale shall be presented to the Board of Directors who shall then

recommend to the Representative Council who shall make the endorsement decision.

## **Standing Rule 15: AMENDMENTS/PROCEDURES**

- A. **Amendments to or Modification of the Articles of Incorporation:** The Active membership shall retain final ratification authority for amendments to or modification of the Articles of Incorporation in accordance with the following procedure:
1. Proposal: Amendments to the Articles of Incorporation may be proposed by majority vote of either the Board of Directors or Representative Council, or by a petition circulated by unit members and signed by 25% of the membership. Such a petition shall be delivered to the Association offices within 15 days prior to the next regular meeting of the Representative Council.
  2. Consideration: At the next regular meeting of the Rep Council: The Council may order amendments proposed by the Representative Council or the Board of Directors withdrawn or refined in any manner which does not increase its scope or impact; taken to the membership with a recommending position for special election. The Representative Council shall review amendments proposed by 25% of the membership and shall take a recommending position, which shall accompany the proposal to the membership for special election.
  3. General Election. The proposed amendment shall be considered in the form approved by the Representative Council at the General Election of the Active Membership.
  4. Ratification. At least two-thirds (2/3) vote of those voting in the General Election shall be required for final ratification, unless a later date is specified at the time of such ratification.
- B. **Amendments to the Standing Rules:** The Board of Directors shall have final approval authority for amendments to the Standing Rules as follows:
1. Proposal: By majority vote of those present, the Board of Directors may propose, or the Representative Council may direct, an amendment to the Standing Rules at any meeting.
  2. Adoption: The proposed or directed amendment shall be subject to adoption by a majority vote of those members of the Board of Directors present at any meeting.

## **Standing Rule 16: EMPLOYMENT OF STATE**

- A. General Policies: The Executive Board shall have the authority to adopt general policies for staff employment and to make general allocations in the Annual Budget for the expenses in connection therewith.
- B. Employment Authority: Within the established policies and budget limitations, the Board of Directors shall be the employment authority for all paid staff, and for setting forth in contract and/or job description form the terms and conditions of employment.
- C. Non-Discrimination Clause: Paid staff shall be entitled to the same general rights of due process as the Association seeks to ensure for its own membership. The same non-discrimination policy shall apply to paid staff as is contained elsewhere within the Bylaws for membership rights.

## **Standing Rule 17: FINANCES**

### A. Dues, fees and Contributions

1. Annual membership dues may be paid in cash, by payroll deduction, or by special arrangement. The amount shall be as prescribed by the Representative Council each year following the adoption of the Annual Budget.
2. Special assessment fees beyond normal annual dues may be levied in the event of an emergency by a two-thirds (2/3) vote of the Council following ten (10) school days notice to the Active membership.
3. Contributions may be accepted for the general budget by action of the Board of Directors. Donations of materials or property may also be accepted by similar action. Where conditions as to use are attached to a contribution or donation, the Representative Council shall set policies within which such contribution or donation, may be accepted.

### B. Fiscal Year

The Fiscal Year shall be defined as the period of time between September 1<sup>st</sup> and the following August 31<sup>st</sup>, inclusive.

### C. Adoption of Annual Budget

The preliminary Interim Annual Budget shall be submitted to the Representative Council by action of the Board of Directors at the regular meeting in May, and shall include the recommended dues level needed to fund the budget. A copy of the proposed interim budget shall be posted in each Local Faculty Unit at that time in May and remain posted until the June meeting, at which time the interim budget shall be voted upon. A revised budget shall be presented to the Council at its September meeting and shall remain posted until the October meeting. Final refinement and adoption shall be the responsibility of the Council at the time of its Annual October meeting. Changes in and among categories not to exceed ten percent (10%) of the total for the given category may thereafter be made during the fiscal year by action of the Board of Directors; changes in excess of this percentage shall be made only with the approval of the Council.

### D. Expenditures of and Accounting for Funds

The Board of Directors shall be responsible to the Representative Council for setting up adequate procedures for control of the expenditure of funds. The Board shall arrange for an annual audit of expenditures and budget by an independent agency with a written report by such agency also furnished to the Council.

### E. Restriction Upon Indebtedness

- F. There shall be an annual audit of the Association Financial records by CPA.

**Standing Rule 18: RECORDS AND PUBLICATIONS, NOTICES AND CORRESPONDENCES**

- A. Publications: Provisions for publications, official policy statements, and other similar items shall be contained within the Standing Rules.
  
- B. Notice to the Membership: The giving of Notice to the membership as used or required in these Bylaws, shall be defined as making available to such membership information to which they are entitled concerning the conduct of Association affairs in such manner as to permit participation of the membership in the organizational decision making process. The minimum requirements for the giving of Notice, wherever such is required by the Governance Documents shall be posted in a conspicuous place in each of the following locations of the item or document necessary for such notice:
  - 1. The organizational headquarters.
  - 2. A bulletin board maintained within each Local Faculty Unit.
  
- C. Receipt of Petitions and Correspondence: Petitions, correspondence and other communications addressed to the Association or to its Board of Directors or Representative Council shall be considered properly received when delivered either to the President and/or the Executive Director. In the event of the unavailability or incapacity of the President, the Vice President may act to receive such items.

## **Standing Rule 19: SITE REPRESENTATIVES**

- A. Site representative election: The first runner-up shall serve as the Alternative Site Representative. Alternate Site Representatives can also be elected by and from the Active members of each Unit as necessary to serve in the event of absence or incapacity of the regular incumbent(s).