DESERT SANDS TEACHERS ASSOCIATION/CTA/NEA

A Chartered Chapter of the California Teachers Association (CTA) and an Affiliated Member of the National Education Association (NEA)

BYLAWS

I. NAME AND LOCATION OF ASSOCIATION

The official name of this association shall be the Desert Sands Teachers Association/CTA/NEA, in Riverside County, in the State of California. Association Number 1357.

II. PURPOSES

The primary purposes of this Association shall be: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;

A. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;

B. To provide an opportunity for continuous study and action on problems of the profession;

C. To promote cooperation and communication between education support professionals and certificated educators; to advocate and take action on all matters pertaining to public education.

D. To provide a means of representation for its ethnic minority members; E. To promote professional attitudes and ethical conduct among members;

E. To encourage cooperation and communication between the profession and the community; and

F. To foster good fellowship among members.

III. AFFILIATIONS WITH CTA/NEA

A. The Desert Sands Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).

B. The Desert Sands Teachers Association shall be an affiliated local of the National Education Association (NEA).

IV. MEMBERSHIP

A. The primary category of membership shall be Active members.

B. Active membership shall be open to any person engaged in, or who is on a limited leave of absence from, non-administrative, non-supervisory, public education employment and is an employee of Desert Sands Unified School District

C. Membership may be granted upon initiation of payroll deduction or upon payment of annual DSTA/CTA/NEA dues.

D. The right to vote within DSTA shall be limited to Active members. The right to hold elective or appointive office within DSTA shall also be limited to Active members.

E. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the

Association.

F. Active members shall adhere to *The Code of Ethics of the Education Profession.*

G. Members shall enjoy the same rights and privileges, regardless of age, gender identity, race, ethnicity, national origin and sexual orientation.

H. No member of the Association may be disciplined by the chapter without 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 the hearing. The member has the right to appeal the decision of the hearing panel to the governing body.

I. The membership year shall be that period of time from September 1st of any calendar year through August 31st of the following year, inclusive.

V. DUES AND ASSESSMENTS\

A. The basic annual dues level for Active members shall be sufficient to cover the operating expenses of DSTA, the dues of CTA, and the NEA.

B. The Association's portion of the basic annual dues shall be established by action of the Representative Council of the Association at the last regular meeting of the school year.

C. 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, which is comprised of the Active members of the Association through whom power is derived and decision-making is accountable.

B. The Representative Council shall be composed of the following active members:

1. Voting members of the Executive Board,
2. Representatives elected on the basis of one-person, one-vote
3. Active members of a chapter shall have the right to attend and observe official meetings of the Representative Council. Business shall be conducted by duly elected Representatives or Seated Alternates.
4. State Council Representatives;
    a. Single Chapter Representative(s) – voting members
    b. Multiple Chapter Representative(s) – *ex-officio*, non-voting member unless otherwise elected to 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 *ad hoc* committees and/or task forces including the membership of those bodies as recommended by the Executive Board; and
4. Establish the dues of the Association.

D. The Representative Council shall schedule monthly meetings during the school year the number, place and time of meeting 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

Membership

F. Special meetings of the Representative Council shall only be called for a specific

purpose and only that business shall be considered.

G. Notices and agendas for all meetings of the Council shall be sent to all members of the Representative Council at least two (2) school business 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 that are conducted electronically may be held if members may interact in the meeting. Members at all sites shall be able to be seen and heard by the entire Representative Council, allowing complete participation. A roll call attendance and subsequent votes shall be conducted by the Secretary.

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

VII. REPRESENTATIVES

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

B. Representatives shall serve a term of one (1) year.

C. Each faculty site or site unit shall be entitled to at least one representative and shall have one representative for each 25 active members on the staff or majority thereof.

D. Active members who are not represented through an individual school faculty group shall be counted as special faculty 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 shall be filled by properly elected replacements.

F. Representatives shall:

1. Conduct constant and on going 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 be transmitted between DSTA and the Active membership;

3. Represent the views and input of the Active membership of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose;

4. Offer amendments to the Standing Rules of the Association by

majority vote,

5. Perform additional duties as prescribed by the Executive Board;

VIII. OFFICERS

A. The elected officers of the Association shall be a President, Vice President, Recording Secretary, and a Treasurer.

B. These officers shall be and remain currently paid-up members of DSTA/CTA/NEA as a condition for nomination to and service in their respective positions during their term of office.

C. These officers shall be elected by and from the Active membership of the Association. Election of officers shall be by open nominations and secret ballot.

D. Officers shall be elected for a term of three years, commencing on the first business day following the last regular school day of the year elected,

E. A vacancy shall exist in the case of death, resignation, or inability to serve in any of the offices in the Association. In the event of 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 of the Association shall be called to elect a successor to fill unexpired terms.

F. The President shall be the chief executive officer of the Association and its policy advocate. The President shall, subject to other provisions of these Bylaws:

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. Adhere to the governance documents of the Association, CTA, and NEA;

5. Appoint all chairpersons and members of all committees by the beginning of each school year;

6. Appoint the chairperson and members of the Bargaining Team 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 Service Center Council of which the Association is a part;

11. Attend other CTA/NEA meetings as directed by the Executive Board or Representatives Council;

G. The Vice President shall:

1. Serve as the 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 committees at the direction of the President

H. The Recording Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council and Executive Board,

2. Be responsible for distribution of minutes, notice of meetings, and agendas for all meetings, to members of the Representative Council and Executive Board, and to the membership when appropriate

3. Keep an accurate roster of membership of the Association and of all committees,

4. Carry on correspondence pertaining to the affairs of the Association as directed by the President

I. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;

2. Pay out such funds upon orders of the President;

3. Provide a written financial report for each regular meeting of the Representative Council and Executive Board.

4. Be responsible for the annual audit of the books of the Association and distributing a summary of this audit to the membership and

5. Be responsible for submitting membership and financial reports to CTA, NEA or other agencies as required by law

IX. EXECUTIVE BOARD

A. The Executive Board shall be composed of the elected officers (may include members elected at-large from the Active membership as long as this complies with the "one-person, one-vote"

B. All members of the Executive Board shall be and remain members of DSTA/CTA/NEA as a condition for nomination and to serve in this position.

C. 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 by a majority of the members of the Board

D. The duties and responsibilities of the Executive Board are:

1. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws;

2. Act for the Representative Council when school is not in session;

3. Direct the bargaining activities of the Association, subject to policies set by the Representatives Council;

4. Adopt, amend and publicize the local Standing Rules for the Association;

5. Recommend a budget for the Association to the Representative Council;

6. Approve by majority vote all appointment and removal of committee members including chairpersons

7. Adopt the Standing Rules for the Association.

8. Direct the bargaining activities of the Association, subject to the policies established by the Representative Council; and

9. Adopt grievance procedure and direct the grievance activities of the Association

10. Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these *Bylaws,* subject to any restrictions which may be imposed by the Representative Council.

E. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of the Board.

F. Members of the Executive Board shall be elected for a term of three years, commencing on the first business day following the last regular school day of the year elected.

X. MEETINGS OF THE GENERAL MEMBERSHIP

A. General meetings of DSTA may be called by the President, the Executive Board or by written petition of 20% of the active membership.

B. General Membership meetings that are conducted electronically may be held if members may interact in the meeting. Members at all sites shall be able to be seen and heard by the entire membership, allowing complete participation. A roll call attendance and subsequent votes shall be conducted by the Secretary.

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

D. General meetings may be held in an electronic format, such as a webinar, but only for the purpose of dispensing information to members, providing 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 in any general electronically meeting is strictly prohibited.

E. A quorum shall be 60% of the Active membership.

XI. BARGAINING TEAM

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

B. The President shall appoint all members, the chairperson and alternates with the concurrence of the Executive Board (Reference *bylaw* IX D.4.).

C. Vacancies created by resignation, inability to serve, shall be filled by the Executive Board from the list of alternates. (Reference *bylaw* VIII.F.6)

D. The Executive Board, by two-thirds (2/3) majority, may remove a member of the bargaining team.

E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board.

F. All bargaining unit members shall be surveyed to determine contents of the proposed contract demands. The contract proposal shall be approved by the Representative Council

G. The Bargaining Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.

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

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

XII. GRIEVANCE PROCEDURES

A. The Executive Board, with the approval of the Representative Council by majority vote,

shall adopt standing rules setting forth 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 in processing grievances;

2. Training for handling grievances; and

3. Evaluation of DSTA's grievance policies and procedures.

XIII. NOMINATIONS AND ELECTIONS

The chapter shall follow and members are entitled to the rights contained in the CTA *Requirements for Chapter Election Procedures* published annually with the *CTI 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.

A. 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. The duties of the Elections Committee shall be to:

1. Ensure that all DSTA/CTA/NEA election codes and timelines are followed

2. Establish, develop and carry out election timelines and procedures;

3. Develop and carry out timelines and procedures,

4. Prepare ballots for election of officers and such other elections as may be necessary,

5. Count the ballots and certify the results,

6. Handle initial challenges.

B. Elections shall be conducted with:

1. Open nomination procedure;

2. Secret ballot;

3. All Active member votes;

4. Record of voters receiving or casting ballots;

5. Majority vote, unless otherwise specified.

C. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or Service Center Council has been notified to do so by the CTA

Elections and Credentials Committee.

D. NEA State Delegate elections shall be conducted in accordance with CTA rules

E. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA rules.

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.

C. The Executive Board shall direct the activities of all committees, subject to the policies established by Representative Council.

XV. PARLIAMENTARY AUTHORITY

On all matters of procedure not otherwise covered by the provisions of these Bylaws, *Robert's Rules of Order,* latest revised edition, shall be followed at all meetings of the Association, the Representative Council, and the Executive Board.

XVI. AMENDMENTS

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 proposed *Bylaw* amendments shall be submitted to the Secretary and provided to all members of the Representative Council at the meeting preceding the one at which it is to be voted upon.