

# CONSTITUTION AND BYLAWS

## Grossmont Education Association / CTA / NEA

### 1.0 NAME AND LOCATION

- 1.1 The name of this Association shall be the Grossmont Education Association/CTA/NEA located in San Diego County.

### 2.0 PURPOSES

The primary purposes of this Association shall be:

- 2.1 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
- 2.2 To form a representative body capable of developing group opinion on professional matters to speak with authority for members
- 2.3 To provide an opportunity for continuous study and action on problems of the profession
- 2.4 To promote professional attitudes and ethical conduct among members
- 2.5 To encourage cooperation and communication between the profession and the community
- 2.6 To foster good fellowship among members

### 3.0 AFFILIATION WITH THE CTA/NEA

- 3.1 The Grossmont Education Association shall be a chartered chapter of the California Teachers Association (CTA).
- 3.2 The Grossmont Education Association shall be an affiliated local association of the National Education Association (NEA).

### 4.0 MEMBERSHIP

- 4.1 There shall be Active Members and Agency Fee Payers.
  - 4.1.1 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 a credentialed employee of the Grossmont Union High School District, and whose principal assignment is not supervisory responsibility over other certificated personnel to such an extent as not to be represented in the negotiations process by the teachers bargaining unit. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.

- 4.1.2 A Fee Payer is not a member of the organization. An agency fee is charged to a Fee Payer for representation in contractual matters. The Fee Payer forfeits the rights to full membership in the association. The total amount of the association dues are deducted from the person's paycheck during the school year. In October, CTA sends Fee Payers a letter (Hudson Letter) advising them that they can apply for a refund of non-chargeable fees (dues spent on non-representational and political purposes) paid to the association. The amount of non-chargeable fees varies from year to year.
- 4.2 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.
- 4.3 Active Members may participate in Representative Council.
- 4.4 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 or sexual orientation.
- 4.5 No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure
- 4.6 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.
- 4.7 Membership may be granted upon initiation of payroll deduction or upon payment of annual Chapter/CTA/NEA dues appropriate to the class of membership.
- 4.8 Members shall adhere to *The Code of Ethics of the Education Profession*. (See Appendix 1).
- 4.9 Any individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.

## **5.0 DUES, FEES, AND ASSESSMENTS**

- 5.1 The basic annual dues level for Active Members, and the representation fee for Fee Payers represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- 5.2 The Association's portion of the basic annual dues, and the Representation Fee for Fee Payers, shall be established by action of the Representative Council at the last regular meeting of the school year.
- 5.3 The chapter (local) shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the Chapter/CTA/NEA dues.
- 5.4 Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category.

## **6.0 REPRESENTATIVE COUNCIL DUTIES**

- 6.1 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.
- 6.2 Council shall be composed of the following Active Members:
  - 6.2.1 Executive Board members
  - 6.2.2 Faculty representatives elected on the basis of “one-person/one-vote”
  - 6.2.3 CTA State Council representative(s)
  - 6.2.4 Bargaining Team members
- 6.3 The Representative Council shall:
  - 6.3.1 Establish Association policies and objectives
  - 6.3.2 Adopt the annual budget of the Association on or before the first meeting of the school year
  - 6.3.3 Approve the establishment (or discontinuance) of committees recommended by the Executive Board
  - 6.3.4 Establish the dues of the Association.
- 6.4 The Representative Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Executive Board.
- 6.5 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.
- 6.6 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.
- 6.7 Notices about and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two days prior to the date of the meeting.
- 6.8 For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- 6.9 A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.
- 6.10 Debate in the Representative Council shall be controlled according to *Robert’s Rules of Order* (latest edition).
- 6.11 Members of the Representative Council shall serve a term of two years. (This is except for the CTA State Council Representatives, whose terms are set by CTA).

**7.0 REPRESENTATIVE COUNCIL MEMBERSHIP**

- 7.1 Representative Council members shall be elected by and from the Active Membership for each high school/program. Such election shall be by open nominations and by secret ballot.
- 7.2 Each school/program shall be entitled to at least one representative and shall have one representative for each twenty-five (25) Active Members on the faculty, or fraction thereof.

- 7.3 Active Members who are not represented through an individual school group shall be counted as a special group entitled to the same representation on the Representative Council as individual school groups.
- 7.4 Vacancies for school/program representatives of School/Program for whatever cause, may be filled by properly elected or appointed replacements.
- 7.5 Representatives shall:
  - 7.5.1 Conduct constant and ongoing liaison between the Representative Council and the Active Members of the school/programs
  - 7.5.2 Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members
  - 7.5.3 Represent the views and input of the Active Membership in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose
  - 7.5.4 Perform such additional duties as prescribed by the Executive Board
  - 7.5.5 Conduct elections at their site/program
    - 7.5.5.1 A Representative may not conduct an election in which he/she is a candidate
- 7.6 A Rep Incentive of \$50.00 per meeting shall be paid in June. Reps must attend 7 of the 9 Rep Council meetings and communicate meeting information to site members via 10-minute meetings, email, flier, etc. to qualify.

## **8.0 OFFICERS**

- 8.1 The officers of the Association shall be a President, a Vice-President, and a Treasurer.
- 8.2 These officers shall be and must remain Active Members of GEA/CTA or CTA Retired as a condition for nomination to and service in their respective positions during their terms of office.
- 8.3 These officers shall be elected by and from the Active Membership of GEA/CTA or CTA Retired. Such election shall be by open nominations and secret ballot.
- 8.4 Officers shall be elected for a term of two years in an election prior to May 30<sup>th</sup> and serve for a two (2) year term, commencing on July 1<sup>st</sup> of any calendar year.
- 8.5 A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. 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.
- 8.6 The President shall be the chief executive officer of the Association and its policy leader.
  - President shall:
    - 8.6.1 Preside at all meetings of the Association, the Representative Council and Executive Board
    - 8.6.2 Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board
    - 8.6.3 Be the official spokesperson for the Association
    - 8.6.4 Be familiar with the governance documents of the Association, CTA, and NEA

- 8.6.5 Appoint all chairpersons and members of committees including the bargaining chair with approval of the Executive Board
- 8.6.6 Call meetings of the Association and the Executive Board
- 8.6.7 Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association
- 8.6.8 Attend meetings of the Service Center Council of which the Association is a part
- 8.6.8 Attend other CTA/NEA meetings as directed by the Representative Council
- 8.6.9 Appoint UniServ Board Members subject to ratification by Executive Board
- 8.6.10 Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board meetings
- 8.6.11 Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board; and to the membership when appropriate
- 8.6.12 Keep an accurate roster of the membership of the Association and/or all committees
- 8.6.13 Carry on the correspondence pertaining to the affairs of the Association
- 8.6.14 Write checks or expend any monies up to \$300 without the approval of the Executive Board when appropriate
- 8.6.15 Be paid a stipend equal to 20 percent of his/her salary placement on the salary schedule for the Grossmont Union High School District

8.7 Vice-President shall:

- 8.7.1 Serve as assistant to the President in all duties of the President
- 8.7.2 Assume the duties of the President in the absence of the President
- 8.7.3 Be paid an annual stipend as determined by the Executive Board but not to be less than the minimum annual salary that would qualify for four Social Security quarters

8.8 The Treasurer shall:

- 8.8.1 Receive all funds belonging to the Association and be responsible for their safekeeping and accounting
- 8.8.2 Pay out such funds upon direction of the President
- 8.8.3 Prepare a written financial report for each regular meeting of the Executive Board
- 8.8.4 File an annual audit of the books of the Association and distribute a summary of this audit to the membership.
- 8.8.5 Submit membership and financial reports to CTA, NEA, and other agencies as required by law
- 8.8.6 Present the budget for the next fiscal year at the May meeting of the Executive Board for approval
- 8.8.7 Maintain an accurate roster of Association membership
- 8.8.8 Be paid an annual stipend as determined by the Executive Board but not to be less than the minimum annual salary that would qualify for four Social Security quarters

**9.0 EXECUTIVE BOARD**

- 9.1 The Executive Board shall be composed of the three (3) officers and five (5) members elected at large from the Active membership, as long as this complies with the “one-person/one-vote” rule.
- 9.2 All members of the Executive Board shall be paid up national, state and local Active Members as a condition for nomination to and service in this position.

- 9.3 The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
- 9.4 The Representative Council shall elect the at-large members of the Executive Board for a term of three (3) year(s), commencing on July 1<sup>st</sup> of any calendar year.

- 9.5 Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position or an absence from two consecutive meetings without Board approval, a special election to fill the vacancy shall be held within thirty days.
- 9.6 The Executive Board shall meet before each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board
- 9.7 The duties of the Executive Board shall be to:
  - 9.7.1 Coordinate the activities of the Association
  - 9.7.2 Act for the Representative Council when school is not in session
  - 9.7.3 Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council
  - 9.7.4 Approve appointment and removal of bargaining team members
  - 9.7.5 Recommend a budget for the Association to the Representative Council
  - 9.7.6 Approve Committee appointments
  - 9.7.7 Adopt and apply the Standing Rules for the Association
  - 9.7.8 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
  - 9.7.9 Serve as voting members of both the Executive Board and the Representative Council
  - 9.7.10 Change stipends of elected officials by a majority vote, if necessary. Any change will become effective only at the beginning of the new term of office
  - 9.7.11 Direct the bargaining activities of the Association, subject to the policies established by the membership and the Representative Council
  - 9.7.12 Approve the appointments of the Chair and Treasurer of Grossmont Board Election Committee (GBEC)
  - 9.7.13 Determine the filing of grievances to Level IV or arbitration upon a majority vote
  - 9.7.14 Agree/disagree to requests for membership exceptions for individuals who wish to pay their dues to an organization other the association (i.e. conscientious objectors)
- 9.8 A quorum for all meetings of the Executive Board shall consist of a majority of the members of that body.
- 9.9 An Executive Board Incentive of \$50.00 per meeting shall be paid in June. Executive Board members must attend 8 of the 10 Executive Board meetings to qualify.

## **10.0 MEETINGS OF THE GENERAL MEMBERSHIP**

- 10.1 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.
- 10.2 Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all Members of the Association at least two days before the meeting except during crisis situations.
- 10.3 For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.

10.4 A quorum for meetings of the Association shall be ten percent (10%) of the Active Membership.



## **11.0 BARGAINING TEAM**

- 11.1 The Bargaining Team (and such alternates as the Executive Board deems necessary) shall be appointed by the President and approved by the Executive Board.
- 11.2 The President shall appoint all members and the chairperson of the Bargaining Team with the majority vote of the Executive Board.
- 11.3 The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s).
- 11.4 The 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 Active Membership.
- 11.5 Employees shall be surveyed to determine the proposed contract changes, and Active Members shall approve the contract proposal.
- 11.6 The Bargaining Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- 11.7 The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team.
- 11.8 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 units unless such ratification shall have been specifically waived or otherwise delegated by that membership.
- 11.9 Bargaining Team members shall serve on the Representative Council.
- 11.10 The Executive Board, by two-thirds (2/3) majority, may remove a member of the Bargaining Team.
- 11.11 Vacancies created by resignation or inability to serve shall be filled by the President with majority vote of the Executive Board.
- 11.12 Bargaining Team members shall receive an annual stipend as approved by the Executive Board.

## **12.0 GRIEVANCE PROCESSING**

- 12.1 The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing. Procedures shall include, but not be limited to, the following:
  - 12.1.1 Representation to assist all members in processing grievances
  - 12.1.2 Training for handling grievances
  - 12.1.3 Evaluation of the Association's grievance policies and procedures
- 12.2 A Grievance Chair appointed by the President shall be paid a \$1,000 stipend.

## **13.0 NOMINATIONS AND ELECTIONS**

- 13.1 The chapter president must provide Active members an opportunity to vote in all elections.
- 13.2 An Election Committee shall run elections except for NEA-RA Local Delegate elections, which will be conducted according to CTA rules.
  - 13.2.1 There shall be an appointed Elections Committee.
  - 13.2.2 Elections shall be conducted with procedures to ensure
    - 13.2.2.1 An open nomination of candidates
    - 13.2.2.2 A secret ballot for all voters
    - 13.2.2.3 A vote involving all Active Members
    - 13.2.2.4 A majority vote will decide the winner unless otherwise specified
    - 13.2.2.5 A record of voters receiving or casting ballots
- 13.3 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.
- 13.4 NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- 13.5 NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.
- 13.6 The duties of the Elections Committee shall be to:
  - 13.6.1 Ensure that all chapter/CTA/NEA election codes and timelines are followed
  - 13.6.2 Establish election timelines
  - 13.6.3 Develop and carry out timelines and procedures
  - 13.6.4 Prepare ballots for election of officers and such other elections as may be necessary
  - 13.6.5 Count the ballots and certify the results
  - 13.6.6 Handle initial challenges

**14.0 COMMITTEES**

- 14.1 Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board subject to approval by the Representative Council.
- 14.2 Each committee shall submit periodic reports to the Executive Board and Representative Council.

**15.0 PARLIAMENTARY AUTHORITY**

- 15.1 *Robert's Rules of Order* (latest edition) shall be followed at all meetings of the Association, the Representative Council, and the Executive Board.

## 16.0 AMENDMENTS/PROCEDURES

- 16.1 These Bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the President and provided to members of the Representative Council at the meeting prior to the one at which the proposed change is to be decided.

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## Glossary

**UniServ** is a conglomerate organization of more than two district associations that was established by CTA and NEA for the purpose of:

1. Providing members and local affiliate associations with a professional staff (CTA Executive Directors) and support staff.
2. Assist associations in implementing, improving and coordination programs

**Service Center Council** was established by CTA to coordinate member participation in the Association. The Council:

1. Establishes channels of communication for the CTA State Council and Board of Directors.
2. Responds to requests from State Council Committees
3. Provides information to State Council and the Board of Directors
4. Discusses professional issues and makes recommendations to the State Council and the Board of Directors
5. Develops regional goals
6. Advises the Service Center staff about program needs and evaluates programs and services.
7. Provides a foundation for regional political activities and legislative contact programs.

## **GBEC**

### **Appendix 1 Rules of Conduct for Professional Educators**

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