

TEMECULA VALLEY EDUCATORS ASSOCIATION

**BYLAWS**

**I. NAME AND LOCATION**

The name of this Association shall be the Temecula Valley Educators Association (TVEA) in Riverside County, California.

**II. PURPOSES**

The primary purposes of this Association shall be:

- A. To represent its members in their relations with their employers and 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 a 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 raise the standards for education support professionals;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To promote cooperation and communication between education support professionals and certificated educators;
- H. To encourage cooperation and communication between the profession and the community; and
- I. To foster good fellowship among members.

**III. AFFILIATION WITH THE CTA/NEA**

- A. The Temecula Valley Educators Association (TVEA) shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Temecula Valley Educators Association (TVEA) shall be an affiliated local association of the National Education Association (NEA).

**IV. MEMBERSHIP**

- A. The primary category of membership shall be Active members.
- B. Membership shall be open to any certificated person who is engaged in or who is on limited leave of absence from professional education work, is an employee of the Temecula Valley Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the association bargaining unit.
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual TVEA/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. Members shall 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.
- E. Active members shall adhere to The Code of Ethics of the Education Profession. (CTA Bylaws Article III, 5).
- F. The rights and privileges of membership shall not be abridged in any way because of age, gender, race, ethnic group, marital status, national origin, or sexual orientation.
- G. No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.
- H. 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.
- I. 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 operating expenses of the Association, dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representative fee for non-members, shall be established by action of the Leadership Council of the Association at the last regular meeting of the school year.
- C. The Association shall apportion any negotiated representation fee on the same percentage basis as the full Association/CTA/NEA dues.
- D. Local dues shall be a percentage equal to the percentage contracted.
- E. 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 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 the Leadership Council. The Leadership Council, comprised of Active members of the Association, derives its powers from and shall be responsible to the membership.
- B. The Leadership 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. Leaders At-Large at the Association's discretion to include, but not limited to:

- a. CTA State Council Representatives when not already serving on the Leadership Council in another capacity, voting;
  - b. Elected Service Center Council Representatives when not already serving on the Leadership Council in another capacity, non-voting;
  - c. Committee Chairpersons, non-voting; and
  - d. NEA Delegates when not already serving on the Leadership Council in another capacity, non-voting.
- C. The Leadership 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 of or discontinuance of committees; and
  - 4. Establish the dues of the Association.
- D. The Leadership 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. A quorum for all meetings of the Leadership Council shall consist of a majority of all voting members of the Council. There shall be no voting by proxy.
- F. The Executive Board shall meet prior to the Leadership Council at least once a month to plan for the Leadership Council Meeting.
- G. The budget of the Association shall be adopted by the membership on or before the first regular meeting of the school year.
- H. Special meetings of the Leadership Council or Executive Board may be called by the President, the Executive Board, or by petition containing signatures of twenty percent (20%) of the membership.
- I. Special meetings of the Leadership Council or Executive Board shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- J. Notices and agendas for all meetings of the Leadership Council and/or Executive Board shall be sent to all members of the Leadership Council, Executive Board, and made available for posting at least two (2) days prior to the date of the meeting.
- K. For emergency meetings of the Leadership Council or the Executive Board during crisis situations, the Board shall adopt procedures to notify members of meeting dates, places, and times.

## **VII. SITE LEADERS**

- A. Site Leaders shall be elected by and from the Active membership at each school site. Such elections shall be by open nominations and by secret ballot.
- B. The term of a Site Leader shall be one (1) year.
- C. Each school site shall be entitled to at least one (1) Leader and shall have one Leader for each (20) Active members or major faction thereof.
- D. Active Members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled the same representation on the Leadership Council as individual school groups.
- E. Elected Service Center Council Representatives shall sit on the Leadership Council as non-voting members;
- F. Elected State Council Representatives and/or NEA Delegates shall sit on the Leadership Council as non-voting members.

- G. Site Leaders shall:
  1. Conduct constant and ongoing liaison between the Leadership Council and Active members of the school site;
  2. Serve as the official channel through which written communications and publications via print or email can be easily and quickly transmitted between the Association and its members;
  3. Represent the views and input of the Active membership of the school site in votes taken in the Leadership Council and conduct frequent and regular polls of such membership for this purpose; and
  4. Perform such additional duties as prescribed by the Executive Board.
  5. Run elections on their site, in which he or she is not a candidate.
- H. Vacancies may be filled by properly elected replacements.

### **VIII. OFFICERS**

- A. Officers of the Association shall be a President, First Vice-President, Second Vice President, Secretary, and Treasurer.
- B. Officers shall be and remain currently paid-up members of the TVEA/CTA/NEA as a condition for nomination to and service in their respective positions during their term of office.
- C. Officers shall be elected by and from the Active membership of the Association.
- D. Elections shall be by open nominations and by secret ballot according to the CTA Requirements for Chapter Election Procedures published annually with the CTA Elections Manual.
- E. Officers shall be elected for a term of two (2) years, commencing on July 1 of any calendar year.
- F. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. In the event a vacancy occurs in the office of the President, the 1<sup>st</sup> 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 successors to fill the unexpired terms.
- H. The President shall:
  1. Be the chief executive officer of the Association and its policy leader;
  2. Preside at all meetings of the Association, the Leadership Council, and the Executive Board;
  3. Prepare the agenda for the meetings of the Association, the Leadership Council and Executive Board;
  4. Be the official spokesperson for the Association;
  5. Be familiar with the governance documents of the Association, the CTA, and the NEA;
  6. Appoint all Chairpersons and members of committees, and the Bargaining Team with the approval of the Executive Board by the beginning of the school year.
  7. Call meetings of the Association, the Leadership 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; and
  11. Attend other CTA/NEA meetings as directed by the Leadership Council.
- I. The First 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 information and distribution of the Association's calendar of activities; and
  4. Serve as coordinator of committee activities at the direction of the President.

- J. The Second Vice President shall:
  - 1. Serve as assistant to the President and First Vice President in all duties of the President;
  - 2. Serve as coordinator of committee activities at the direction of the President.
  
- K. The Secretary shall:
  - 1. Keep careful and accurate records of the proceedings of each meeting, regular or special, of the Association, the Leadership Council, and the Executive Board;
  - 2. Be responsible for distribution of all notices, agendas, and minutes of meetings to members of the Leadership Council, the Executive Board, and to the membership when appropriate;
  - 3. Keep an accurate roster of the membership of the Association and of all committees;
  - 4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
  
- L. The Treasurer shall:
  - 1. Receive all funds belonging to the Association and shall 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 Leadership Council and the Executive Board.
  - 4. Be responsible for an annual audit of the books of the Association and distribute a summary of this audit to the membership
  - 5. Submit membership and financial reports to CTA, NEA, and other agencies as required by law.

## **IX. EXECUTIVE BOARD**

- A. The Executive Board shall be composed of the officers and Area Representatives elected At-Large to represent the needs of: preschool/elementary, middle and high school. Each Area Representative will support a ratio of 1 to every 300 members within that designated area (Elections must comply with the one-person one-vote rule).
  
- B. All members of the Executive Board shall be and remain currently paid-up TVEA/CTA/NEA members as a condition for nomination and service in this position.
  
- C. 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. In the event a vacancy occurs, a special election may be held to elect successors or an interim officer may be appointed by the President until the next election cycle with the approval of the Leadership Council.
  
- D. The Executive Board shall meet before each regular meeting of the Leadership 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.
  
- E. The Executive Board shall be composed of the following voting members:
  - 1. Elected Officers: President, First Vice-President, Second Vice President, Secretary, and Treasurer; and
  - 2. Area Representatives: Elementary (2), Middle School (1), High School (2).
  - 3. State Council Representatives
  
- G. Duties and Responsibilities of the Executive Board:
  - 1. Coordinate the activities of the Association;
  - 2. Act for the Leadership Council when school is not in session;
  - 3. Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Leadership Council;
  - 4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
  - 5. Recommend a budget for the Association to the Leadership Council;
  - 6. Approve by majority vote all appointment and removal of committee members, including chairpersons;

7. Adopt the Grievance Procedure;
8. Direct the grievance activities of the Association;
9. Adopt the local Standing Rules for 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 imposed by the Leadership Council.

H. A quorum for all meetings of the Executive Board shall consist of a majority of the voting members of the Board.

**X. AREA REPRESENTATIVES**

- A. Area Representatives shall be elected At-Large by and from the Active membership to represent the needs of: preschool/elementary, middle and high school. Each Area Representative will support a ratio of 1 to every 300 members within that designated area (Elections must comply with the one-person one-vote rule).
- B. Area Representatives shall:
  1. Serve on the Executive Board as voting members;
  2. Serve on the Leadership Council as voting members; and
  3. Assist in grievance procedures.
- C. At-Large members of the Executive Board shall be elected with open nominations and by secret ballot.
- D. At-Large members of the Executive Board shall be elected for a term of two (2) years commencing on July 1 of any calendar year.

**XI. BARGAINING TEAM**

- A. The duties of the Bargaining Team are to represent and to bargain for the membership.
- B. The bargaining members, alternates chairperson shall be appointed by the President, with the concurrence of the Executive Board.
- C. The Bargaining Team shall be composed of six (6) members. At least one (1) person from each of the three (3) instructional levels: elementary, middle, and high school will be appointed to the bargaining team.
- D. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- E. The Executive Board, by a two-thirds (2/3) majority, may remove a member of the Bargaining Team and appoint a replacement.
- F. Responsibility and authority for directing the bargaining process of the Association are vested in the Executive Board subject to policies established by the active membership.
- G. Member input shall be used to determine the contents of the proposed contract demands.
- H. The Bargaining Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- 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. 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.

- K. Agreements reached between the Bargaining Team and the School Board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership.
- L. 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 Active members in that unit.

## **XII. GRIEVANCE PROCESSING**

- A. The Executive Board shall adopt, with the approval of the Leadership 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 in processing grievances;
  - 2. Training for handling grievances; and
  - 3. Evaluation of the Association'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 CTA Elections Manual. The chapter president must provide Active members an opportunity to vote in all elections.

Chapter presidents do not have the option of deciding whether an election shall be held.

### **Elections Committee**

There shall be an appointed Elections Committee.

### **Elections Requirements**

- A. 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.
- B. 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.
- C. NEA State Delegate elections shall be conducted in accordance with CTA guidelines
- D. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines

### **Election Committee Duties**

- A. The duties of the Elections Committee shall be to:
  - 1. Ensure that all TVEA/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.

**XIV. COMMITTEES**

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

**XV. 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 membership.
- B. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be available to all members of the Association at least two (2) days prior to 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. A quorum for meeting of the Association shall be a simple majority of the active membership.

**XVI. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, Newly Revised, latest edition shall be followed at all meetings of the Association, Leadership Council and the Executive Board.

**XVII. AMENDMENTS**

These Bylaws may be amended by a two-thirds (2/3) vote by the Site Leaders at any regular meeting or special meeting of the Leadership Council provided notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and made available to all members of the Leadership Council at the meeting preceding the one at which the vote is scheduled.