



**VISTA TEACHERS ASSOCIATION/CTA/NEA**

**BYLAWS**

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# BYLAWS

## I. NAME AND LOCATION

The name of this Association shall be the Vista Teachers Association/CTA/NEA (VTA) in San Diego County.

## 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 teachers;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To provide a means of representation for its ethnic-minority members;
- E. To promote professional attitudes and ethical conduct among members;
- F. To encourage cooperation and communication between the profession and the community;
- G. To foster good fellowship among the members;
- H. Political action for the benefit of its members and students.
- I. To promote cooperation and communication between education support professionals and certificated educators

## III. AFFILIATION WITH THE UNITED EDUCATION PROFESSION (UEP)

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

## IV. MEMBERSHIP

- A. Categories of Membership. The primary category of membership shall be Active members.
- B. Active. Active membership shall be open to any person engaged in, or who is on a limited leave of absence from, professional educational work is an employee of the Vista Unified School District, and whose primary assignment is such as not to hold evaluator 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 United Education Profession (UEP) dues appropriate to the class of membership.
- 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 appropriate 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.
- 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, creed, color, ethnic group, marital status, national origin or sexual orientation.
- I. No member of the Association may be disciplined 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 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, person who tender agency fees shall have rights or privileges within this Association.
- L. Members have the right to be present at open sessions of meetings at which business of the Association is to be transacted
- M. Members have the right to present matters of individual concern to the Representative Council or Executive Board.

V. **DUES, FEES, AND ASSESSMENTS**

- A. The basic annual dues level for Active members, and representation fee for nonmembers represented in the bargaining unit, shall be sufficient to cover the operating expenses for the Association, the dues of CTA, and the NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for nonmembers, shall be established by action of the Representative Council and shall automatically be adjusted annually to maintain at least a 33.5% of CTA dues.
- C. The Association shall apportion any negotiated representation 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 members of the Association, derives its powers from and shall be responsible to the membership. Under certain circumstances, it may be necessary for the Executive Board to establish certain policies at times when it is not feasible for the Representative Council to be called. If such circumstances arise, it is understood that the policy/policies are to be considered temporary

and will be brought to the Representative Council no later than its next regularly scheduled meeting.

- B. The Representative Council shall be composed of the following Active members:
  - 1. Voting members of the Executive Board
  - 2. Faculty Representatives elected on the basis of one-person one-vote;
  - 3. Committee Chairpersons, ex officio/non-voting;
  - 4. CTA State Council Representatives;
  - 5. Any member of the Association who holds CTA/NEA offices or committee appointments, ex-officio non-voting.
  
- C. The Representative Council shall
  - 1. Establish Association policies and objectives;
  - 2. Adopt the fiscal budget of the Association on or before the first meeting of the fiscal year and raise additional funds required to carry on the work of the Association.
  - 3. Approve the establishment or discontinuance of committees recommended by the Executive Board;
  - 4. Establish the annual dues of the VTA;
  
- D. The Representative Council shall meet each at least once during each month when the majority of school sites are in session, 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, Executive Board or by petition of twenty percent (20%) of the members of the Representative Council, or on petition of twenty percent (20%) of the membership.
  
- F. Special meetings of the Representative Council may be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
  
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the 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. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.
  
- J. Members of the Representative Council shall serve a term of, two years (2) except for the CTA State Council Representatives whose terms are set by CTA. Each unit shall select its representative every other year by the end of the unit's academic year.

VII. **FACULTY REPRESENTATIVES**

- A. Faculty Representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and secret ballot.
  
- B. Each faculty/Site / Site Unit shall be entitled to at least one representative and shall have one

representative for each 20 Active members on the faculty, or major fraction thereof.

- C. Active members who are not represented through an individual school faculty group shall be counted as a special faculty/site unit group entitles to the same representation of the Representative Council as individual school faculty groups.
- D. Vacancies in the office of Faculty Representative for whatever cause may be filled by properly elected replacements.
- E. Faculty Representatives shall:
  - 1. conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty units;
  - 2. serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the Active members and report all actions of the Association to the members they represent;
  - 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. exercise their considered judgment on matters of immediate action in the Council;
  - 5. perform such additional duties as prescribed by the Executive Board.
- F. A Faculty 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, Vice-President, 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 term 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 two years commencing on July 1 of any calendar year.
- E. A vacancy shall be deemed to exist in the case of death, resignation, inability to serve, or ineligibility to continue to serve in any of the offices of 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, the Executive Board, at its' next regular meeting, shall appoint a member of the Association to fill the office vacated. This appointment must then be approved by the Representative Council at its' next regular meeting. This appointment is for the duration of the term of the vacated office.
  - 1. A person may be reelected to the office of president for a maximum service of three full consecutive terms
- F. The President shall be the chief executive officer of the Association and its policy leader. The President shall:
  - 1. preside at all meetings of the Association, the Representative Council, and the 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, the California Teachers Association, and the National Education Association;
5. appoint all Chairpersons and members of committees with the approval of the Executive Board by the beginning of each school.
6. Appoint a parliamentarian for meetings of the Representative Council and the Executive Board.
7. Meet with the vice president to determine roles and responsibilities not otherwise specified below.
8. Appoint the chairperson and members of the bargaining team with the approval of the Executive Board by the beginning of each school year.
9. call meetings of the Association, Rep Council and the Executive Board;
10. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council.
11. suggest policies, plans and activities for the Association and be responsible for the progress and work of the Association;
12. attend meetings of the Service Center Council of which the Association is a part;
13. attend other CTA/NEA meetings as may be directed by the Executive Board or the Representative Council;
14. serve as an ex-officio voting member of all committees;
15. be authorized to sign checks, with the Treasurer, drawn upon the treasury;
16. represent the Association before the school board;
17. perform such other duties as may be directed by the Executive Board or the Representative Council; and
18. may attend bargaining sessions, pre, post and planning meetings as an ex-officio member of the bargaining team.

G. The Vice-President shall:

1. shall assume the duties of the President in the absence of the President
2. Vice President shall be authorized to sign checks, with the Treasurer, drawn upon the treasury;

3. Shall meet with the President to determine roles and responsibilities.
4. be responsible for the formation and distribution of the Association's calendar of activities.
5. Serve as coordinator of committee activities at the direction of the President;
6. Serve as ex-officio member of all committees;
7. Perform such other duties as may be directed by the President
8. Serve as assistant to the President in all duties 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 Executive Board;
2. be responsible for distribution of minutes, notices 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 the membership of the Association and all committees;
4. carry on the 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. prepare 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;
5. submit membership and financial reports to CTA, NEA, or other agencies as required by law;
6. chair the annual budget review for the next fiscal year; and

IX. **EXECUTIVE BOARD**

- A. The Executive Board shall be composed of the elected officers of the Association, and the following at large members- two directors of the elementary segment (K-5), two directors of the middle school segment (6-8), two directors of the secondary segment (9-12), and one director of Special Ed.
- 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 and service in this position.
- C. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot by the full membership.
- D. The at-large members of the Executive Board (the elementary, middle school, secondary and one(1)

Special Ed directors) shall be elected for two-year terms. With one(1) elementary, one(1) middle school, and one(1) secondary director being elected in odd numbered years and one(1) elementary, one(1) middle school, and one(1) secondary director being elected in even numbered years by the members of their segment. The Special Ed director shall be elected in even years. The regularly elected members of the Executive Board shall assume office the first day of July following the election.

- E. Vacancies in the positions of members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position, the Executive Board, at its' next regular meeting, shall appoint a member of the Association to fill the position vacated. This appointment must then be approved by the Representative Council at its' next regular meeting. This appointment is for the duration of the term of the vacated position.
- F. 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 request of a majority of the members of the Executive Board.
- G. The duties of the Executive Board shall be:
  - 1. coordinate activities of the Association;
  - 2. act for the Representative Council when school is not in session;
  - 3. direct the bargaining activities and grievance processing for the Association subject to policies set by the Representative Council;
  - 4. approve by majority vote appointment and by 2/3 vote removal of bargaining team members.
  - 5. recommend to the Representative Council the Association budget for the next fiscal year prior to their first meeting of the next school year;
  - 6. approve by majority vote all appointment and removal of committee members, including chairpersons.
  - 7. adopt the standing rules for the Association;
  - 8. adopt grievance procedures.
  - 9. exercise all of 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 Active membership or by policies adopted by the Representative Council;
  - 10. declare a vacancy to exist in the office of Faculty representative to the Representative Council and/or the Executive Board. Vacancies shall be deemed to exist in the case of death, resignation, inability to serve in the position, or ineligibility to continue to hold a position;
  - 11. review and study proposals for action by the Association that are made by individuals and organizations not members of the Association; and
  - 12. designate which officers or employees shall be authorized persons to sign checks drawn upon the accounts of this Association. Two authorized signatures shall be required on all checks.
- H. A quorum for all meetings of the Executive Board shall consist of a majority of the Board. A member of the Executive Board shall not be permitted to exercise the right to vote or any other power and duty of office through a proxy or alternate.



- I. Any Executive Board member who fails to attend two consecutive meetings of the Executive Board, without just cause, shall be deemed ineligible to continue to serve. That office shall be declared vacant.
- J. Minutes of the open session of meetings of the Executive Board shall be made available to all members of the Representative Council.

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 20% of the membership.
- B. Notices of the Association meetings, including date, place, time and purpose of meeting shall be made available to all members of the Association at least two 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 the Meetings of the General Membership of the Association shall be the 20% active membership.

XI. **BARGAINING TEAM**

- A. The bargaining team, its chairperson, and such alternates as the Executive Board deems necessary, shall be nominated by the President and approved by the Executive Board.
- B. Vacancies created by resignation or inability to serve shall be nominated by the President and approved by the Executive Board from the list of alternates.
- C. The Executive Board, by a two-thirds majority, may remove a member of the bargaining team.
- D. The duties of the bargaining team are to represent and to bargain for all bargaining unit members.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Board and subject to policies established by the Representative Council. The Executive Board is distinct from the bargaining team.
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposals shall be approved by the Representative Council.
- G. The bargaining team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for 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 units) unless such ratification shall have been specifically waived or otherwise delegated by the membership).
- J. The Executive Board shall adopt Standing Rules setting forth its selection procedures for bargaining team members, including terms of office and criteria for appointment.

XII. **GRIEVANCE PROCESSING**

- A. The Executive Board shall establish and adopt, with the approval of the Representative Council, 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(s) 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 that such elections shall not be held except for NEA-RA local delegate elections **and school site Representative elections** where following a period of open nominations, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled and the affiliate has adopted a governing provision or election policy allowing such a practice.

- A. There shall be an appointed Elections Committee.
- B. Elections shall be conducted with:
  - 1. open nomination procedure;
  - 2. secret ballot;
  - 3. all member vote;
  - 4. record of voters receiving or casting ballots;
  - 5. majority vote unless otherwise specified;
- C. State Council Representative Elections shall be conducted according to 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 guidelines.
- E. NEA/CTA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.
- F. The duties of the Election Committee shall be to:
  - 1. ensure that all chapter/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 for officers and such other elections as may be necessary.
  - 5. count the ballots and certify the results;
  - 6. handle initial challenges; and
  - 7. keep the voted ballots for one (1) year.
- G. The Executive Board shall adopt Standing Rules setting forth the procedures for conducting elections.

H. NEA Representatives

1. NEA local Delegates shall be elected for a two-year term. One-half (1/2) of the delegates shall be elected during odd number years and the other half elected during even number years.
2. NEA RA delegates at the NEA RA shall report each day to the Association President, or in his/her absence, the ranking member of the Association and shall notify him/her of their departure if before the daily adjournment, Delegates shall attend each session and caucus unless excused by the President or his/her representative.
3. The elected President also sits as a local delegate to the NEA RA for the term of office and shall be delineated as such when the election for President is held.

XIV. **COMMITTEES**

- A. Committees for VTA, 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. Any district committee created by the VTA/VUSD Contract shall be established and discontinued by the negotiation process (i.e. PAR & SBDM). Committee member selection for such committees will be established in the VTA Standing Rules when needed.

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**

- A. 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 the members of the Representative Council at the meeting preceding the one upon which it is to be voted.
- B. Amendments to these Bylaws may be proposed by any member of the Representative Council.