

CASTRO VALLEY TEACHERS ASSOCIATION BYLAWS

I. NAME AND LOCATION

The name of this Association shall be the Castro Valley Teachers' Association/CTA/NEA in Alameda 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 secure the implementation of policies and goals through negotiations with the Board of Trustees of Castro Valley Unified School District, and through appropriate political and legislative activities in conjunction with state and national affiliates;
- D. To provide an opportunity for continuous study and action on problems of the profession;
- E. To serve the membership in any lawful manner leading directly or indirectly to the improvement of group and individual morale and welfare with regards to service in the education profession;
- F. To provide a means of representation for all members;
- G. To promote professional attitudes and ethical conduct among members;
- H. To encourage cooperation and communication between the profession and the community; and
- I. To foster good fellowship among members.

III. AFFILIATIONS

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

IV. MEMBERSHIP

- A. Active membership or agency fee shall be required of any Certificated person who is engaged in or who is on limited leave of absence from professional education work, is an employee of Castro Valley Unified School District, and whose primary assignment is such as not

to hold supervisory responsibility over other Certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit.

B. Membership will be granted upon initiation of payroll deduction or upon payment of annual new CVTA Teachers CTA/NEA dues appropriate to the class of membership.

C. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.

D. 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.

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

F. 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.

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 1st of any given calendar year through August 31st of the following calendar year, inclusive.

I. Membership for year round school employees shall be September 1st through August 31st recognizing that the previous school year's dues apply to the month of August until the new dues schedule becomes effective.

J. 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. If by October 31st of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

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, 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 Representative Council.

C. The preliminary Budget shall be submitted to the Representative Council by action of the Executive Board at a regular meeting and shall include the recommended dues level needed to fund the budget. A copy of the proposed budget shall be posted in each Local Faculty Unit at that time and remain posted until the budget ratification meeting. Final refinement and adoption will be the responsibility of the Council. Changes in and among categories not to exceed five (5%) percent of the total for the given category may be made during the fiscal year by action of the Executive Board; changes in excess of this percentage shall be made only with the approval of the Council.

D. The Executive Board shall be responsible to the Representative Council for budget reports, controlling expenditures, and procedures for audit by an independent agency. Reports shall be furnished to Representatives for posting at sites, as appropriate.

E. Representation fees shall be apportioned on the same percentage basis as the full affiliation dues.

F. No individual member shall attain rights to any property of the Castro Valley Teachers Association/CTA/NEA as a result of membership.

G. 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.

H. Contributions may be accepted for the general fund by action of the Executive Board. Donations of materials or property may also be accepted by similar action. Where conditions as to the use are attached to a contribution or donation, the Representative Council shall set policies within which such contributions or donations may be accepted.

I. The Executive Board shall not incur indebtedness where the payments for the same exceed the amount provided in the budget for that purpose without prior approval of the Representative Council.

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.

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

1. Executive Board, ex-officio;
2. Building Representatives elected on the basis of one-person one-vote;
3. Elected UniServ and Service Center Council Representatives, when not already serving on the Representative Council in another capacity;
4. Committee Chairpersons and other presidential appointees, as defined herein;
5. CTA State Council Representative; and
6. Any members of the Association who hold CTA/NEA offices or committee appointments.

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 membership.

F. Special meetings of the Representative Council shall be called for a specific purpose and no business may be transacted other than that for which the meeting is called.

G. Notices and agendas for all meetings of the Representative Council shall be received by all members of the Representative Council at least two working 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 simple majority of all voting members of the Representative Council:

1. A quorum shall be determined by Roll Call of voting representatives at each meeting;
2. In the event of an absence, Voting Proxy must be submitted to the Secretary in writing and ratified by majority vote;
3. Lacking a quorum, no action may be taken, although information may be discussed;
4. Representative Council may enact procedure to complete business by written vote, phone vote, or special meeting.

J. Members of the Representative Council shall serve a term of one year (1) except as otherwise established herein and except for the CTA State Council Representative whose term is set by CTA.

VII. BUILDING REPRESENTATIVES

A. Building 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 faculty shall be entitled to at least one representative and shall have one representative for each 20 Association members on the faculty.

C. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.

D. It shall be the responsibility of the active members at each site to elect the full number of representatives to which they are entitled [(1) one to (20) twenty].

E. Should it prove impossible to fill all Rep positions, Rep Council will acknowledge those filled positions no later than the October meeting, and establish a meeting quorum based upon those numbers.

F. Continuing efforts shall be made by the President to solicit for and fill by appointment those vacancies at sites still underrepresented.

G. Should vacancies occur during the school year, the President shall notify the site and entertain a new election to fill the vacancy (following procedures A and B above.)

H. Building Representatives shall:

1. Act as liaisons between the Representative Council and the active members of the faculty unit;
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;
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. Have the authority to adopt and change its own agenda after reviewing the preliminary agenda prepared and submitted by the President at each meeting;

5. Receive a Representative Training Manual and undergo training as deemed appropriate and necessary by Representative Council, the Executive Board or CTA/NEA.

I. The Duties of the Representative Council shall be:

1. To make policy for the Castro Valley Teachers Association;
2. To act upon matters of business of the Castro Valley Teachers Association;
3. To make recommendations to be acted upon by the membership;
4. To fill vacancies which may arise between elections;
5. To adopt a final budget;
6. To select an auditor;
7. To ratify appointments made by the President;
8. To authorize membership in UniServ and payment of dues;
9. To approve budget expenditures;
10. To attend all Building Representative Council meetings;
11. To reflect the wishes of their constituents when voting on agenda items;
12. Through regular written and/or verbal reports, to communicate the decisions of the Building Representative Council to Association members in their buildings;
13. To initiate actions in the various buildings which will carry out the policies of the Representative Council;
14. To insure building representation on all committees.

VIII. OFFICERS

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

B. These officers shall be and remain active members of CTA/NEA/CVTA as a condition for nomination to and service in their respective positions during their terms and 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 and shall be completed May 1st

D. Officers shall be elected for a term of two years commencing on June 1st of the year of their election.

E. No officer shall serve in a single office continuously in excess of three (3) full terms (six years) after which at least one full term (2 years) must elapse before their being eligible to serve in that office again. No lapse need intervene for a candidate to serve in a different capacity, nor shall any previous length of service be held against a candidate upon commencement of this rotation.

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. 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, the President shall appoint a replacement for the duration of the term, subject to Council approval.

G. The President shall be the chief executive officer of the Association and its policy leader. The President shall be released from a full teaching assignment to conduct Association business, up to a maximum of 80% (.8 F.T.E.) in order to perform the duties and responsibilities of the office.

H. The President shall:

1. Preside at all meetings of the Association, the Representative Council and Executive Board or assign a designee to do so;
2. Prepare the preliminary 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, subject to Executive Board approval, and ratification by Representative Council (ex. PAR Joint Committee, Bargaining, Grievance, Membership, Elections, Bylaws, Political Organizing, Political Action, and other Ad HOC committees);
6. Call meetings of the Association and the Executive Board;
7. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
8. Review Governance Documents once a year and ensure compliance;
9. Attend other CTA, NEA, or area meetings as directed by the Representative Council;
10. Notify membership of results of all elections;
11. Co-sign all checks, along with the Treasurer, drawn on Association finances;
12. Serve as ex-officio member of all committees;
13. Serve as the Association representative at meetings of the Board of Trustees;
14. Sign Memorandums of Understanding, with approval from the Executive Board.

I. 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;
4. Serve as coordinator of committee activities at the direction of the President;
5. Serve as ex-officio, non-voting member of all committees; and
6. Select a designee to be the Elections Chair and ensure the legality of all elections.
7. Receive an annual stipend of \$250.

J. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of regular and special meetings of the Association, Representative Council, and the Executive Board;
2. 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;
3. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
4. Receive an annual stipend of \$250.

K. 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 report of the past month's expenses to present of the Representative Council and Executive Board;
4. Be responsible for an annual audit of the books of the Association and distribution of a summary of this audit to the membership; and
5. Submit membership and financial reports to CTA, NEA, and other agencies as required by law.
6. Receive for above services an annual \$600 stipend.

IX. EXECUTIVE BOARD

A. The Executive Board shall be composed of the principal Officers, the State Council Representative, the Bargaining Chairperson, and three members elected at large from the membership.

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

C. The at-large members of the Executive Board shall be elected with open nomination and by secret ballot.

D. The at-large members of the Executive Board shall be elected for a term of two years commencing on June 1st of the year of their election.

E. 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, the President shall appoint a replacement for the duration of the term, subject to Council approval.

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 petition of a majority of the members of the Executive Board.

G. A quorum for all meetings of the Executive Board shall consist of six members of the Executive Board.

H. Each of the At-Large members and the State Council Representative shall receive annual stipends of \$250.

I. The duties of the Executive Board shall be to:

1. Coordinate the activities of the Association;
2. Act for the Representative Council when school is not in session;
3. Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council;
4. Appoint and remove bargaining team members;
5. Recommend a budget for the Association to the Representative Council;
6. Approve Committee appointments;
7. Exercise all 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.
8. Adopt the Standing Rules for the Association;
9. Review and approve Memorandums of Understanding (MOUs), as described in a separate section.

X. BARGAINING TEAM

A. The bargaining team of five (5) members and two (2) alternates shall be nominated by the Executive Board and approved by the Representative Council. The President is an ex-officio member of the bargaining team.

B. The chairperson of the team shall be appointed by the President and shall receive an annual stipend of \$600.

C. The Executive Board shall adopt Standing Rules setting forth its selection procedures for bargaining team members, including terms of office and criteria for appointment.

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 two-thirds (2/3) majority, may remove a member of the bargaining team and appoint a replacement from the list of alternates.

F. The duties of the bargaining team are to represent and to bargain for the bargaining unit. There will be multiple caucus meetings, as well as the bargaining sessions, which all members are expected to attend. The bargaining team members will receive an annual stipend of \$250.

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 membership.

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 Association members in that unit.

I. The bargaining team shall report its activities to the Executive Board and Representative Council in such form and with such frequency as the Executive Board and Representative Council may require.

J. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the bargaining team to the general 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 in the appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that membership.

XI. GRIEVANCE PROCESSING

A. The Executive Board, with the approval of the Representative Council, shall enforce the contractual procedures for grievance processing.

B. These procedures shall include, but not be limited to, the following:

1. The appointment of a Grievance Committee 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.

XII. NOMINATIONS AND ELECTIONS

A. A General Election shall be the means by which the active membership shall elect its principal Officers, State Council Representative, and representatives to NEA.

B. The Elections Committee will direct all Elections, under the supervision of its Chairperson and the Association Vice-President.

C. Elections shall be conducted with:

1. Open nomination procedure;
2. Secret ballot;
3. All member vote;
4. Record of voters receiving or casting ballots; and
5. Majority vote, unless otherwise specified.

D. State Council Representative elections shall be conducted according to CTA guidelines after the Association or service center council has been notified by the CTA Elections Committee.

E. NEA State Delegate elections shall be conducted according to CTA guidelines.

F. NEA Local Delegate elections shall be conducted according to NEA/CTA guidelines.

G. Election Requirements:

1. The Election Committee shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself);
2. Every member shall be assured of voting by secret ballot;
3. There shall be at least a fifteen (15) day period between notice of election and the actual voting;
4. There shall be an all-member vote;
5. The Election Committee shall provide means for all members to vote (including voting in absentia and electronic voting), and it shall be the responsibility of the member to notify the Association if s/he desires a ballot at a site other than the regularly scheduled voting place;
6. Signatures or secure electronic receipts will be used to acknowledge returned ballots.
7. All elections shall be decided by a majority vote, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the two candidates receiving the highest number of votes.

H. 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 every member has an opportunity to file a declaration of candidacy.

I. Timeline.

1. Schools on alternative calendars shall be considered when setting election timelines.
2. The timeline for the election shall include dates for:
 - a. Time, date, and place for declarations of candidacy;
 - b. Date of acknowledgement of declarations from candidates;
 - c. Date on which ballots will be distributed;
 - d. Dates(s) when voting will take place;
 - e. Deadline date for requesting absentee ballot;
 - f. Deadline date, time and place for return of ballots, including absentee ballots;
 - g. Date, time and place where ballots will be counted;
 - h. Date(s) that announcement of results will be made to leadership, candidates and members;
 - i. Dates and timelines for run-off election, if necessary;
 - j. Deadline for filing of challenges.

J. Finances.

1. Association 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 an Association's treasury or indirect contributions in the form of use of an Association's assets, facilities, staff, equipment, mailings, good will and credit.

K. 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 shall have the right of access to an email list of members.
4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.

L. Ballot.

1. The names of the candidates shall be printed on the ballot in random 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.
2. The ballot shall state the name of the office, the term, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.

M. Distribution of Ballots and Method of Voting.

1. Each member shall receive a ballot.
2. Voting shall be by one or a combination of the following methods:
 - a. At school site (see Standing Rules for procedure);
 - b. At specified voting site;
 - c. Electronically.

N. Counting of Ballots.

1. A preliminary count may take place at the voting sites.
2. Upon receipt of ballots, counting shall take place in a secure area with only the Elections Committee members and observers present.
3. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
 - a. Blank ballot;
 - b. More ballots than signatures;
 - c. Ballot submitted after deadline;
 - d. Voter not a member;
 - e. Voter's intent unclear;
 - f. Votes cast for more than number allowed;
 - g. Vote cast on unofficial ballot
 - h. Vote cast for ineligible candidate.
4. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate. If the votes set aside would affect the outcome of the election, the Representative Council shall decide:
 - a. to count the votes which have been set aside;
 - b. not to count the votes which have been set aside; or
 - c. if the election should be conducted again.

Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.

5. The Elections Committee shall prepare the Final Report, recording the following information:
 - a. Total number of ballots cast;
 - b. The number of set-aside ballots with an explanation for each category of ballot not counted;
 - c. The number needed to win or pass;
 - d. The number of votes received by each candidate or issue;
 - e. A notation whether the set-aside votes would affect the outcome;
 - f. Signature of each Elections Committee member present during the preparation of the report.
6. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
7. The ballots and voter sign-up sheets shall be retained for one (1) year after the election.
8. When the Association utilizes electronic voting, the software program will compute votes and issue a report, thus nullifying the need for the process described above, except in the case of members who choose to use paper ballots.

9. The President shall announce the results as proscribed by the timelines.

O. Observers.

1. Each candidate shall be allowed to have an observer at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
2. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results.
3. When the Association utilizes electronic voting, the software program will compute votes and issue a report, thus nullifying the need for the process described above, except in the case of members who choose to use paper ballots.

P. Challenge Procedure

1. Any member observing a violation of election procedures shall notify the Association President and the chair of the Elections Committee, in writing, within five school days of the announcement of results. The notification must:
 - a. Specify which requirement has been violated;
 - b. Include supporting information
 - c. List names of parties who can provide information.
2. The Elections Committee shall respond within five (5) school days after receipt of the challenge in an effort to resolve the issue. The committee shall determine whether:
 - a. The challenge alleges a violation of an election requirement;
 - b. The challenge is supported by appropriate documentation;
 - c. The alleged violation may have affected the outcome of the election.
3. The Elections Committee shall report to the Executive Board and the Representative Council on its findings and recommendations within twenty (20) school days.
4. The Executive Board shall make decisions on the resolution of the challenge.
5. If the challenging party is not satisfied with the decision, s/he may appeal the decision in writing to the CTA President within twenty (20) school days of receipt of the decision.

Q. 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. A member shall file a notice of the intent to circulate a petition with the Association President by including a copy of the petition to be circulated, and the names of at least three (3) persons supporting the proposed measure and responsible for its circulation.
3. The Association 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 forty-five (45) school days shall be permitted to obtain the signatures of at least ten (10%) percent or more of the active members of the Association. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the Association President the petition(s) containing original signatures.
6. The Association President shall have five (5) school days in which to verify the membership of the signers of the petition.
7. The Executive Board shall have the authority to call the Representative Council into session to consider the initiative proposal if warranted. The Council shall have the right to insert a simple statement but without editorial comment on the ballot as to whether it recommends approval or disapproval of the measure proposed.
8. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional seven (7) school days in which to gather and submit the necessary signatures. The Association President shall have five (5) school days in which to verify the membership of the additional signers.

9. The Association President shall cause a ballot to be furnished to the members no less than fifteen (15) school days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
10. Regular election procedures (e.g., election of officers) shall be followed.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

R. Referendum Procedures.

1. Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the membership upon two-thirds (2/3) 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 membership on the ballot.
3. The Association President shall cause a ballot to be furnished to the members no less than fifteen (15) school days after action by the Representative Council, counting only the days that school is officially in session.
4. Regular election procedures (e.g., election of officers) shall be followed.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

S. Recall Procedures.

1. The active membership shall have the authority to recall from office any person or persons elected thereto by the Association's active members.
2. A member shall file a "Notice of the Intent to Circulate a Petition to Recall" with the Association President by including a copy of the petition to be circulated, and the names of at least three (3) persons supporting the proposed recall and who are 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 Association 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 sixty (60) school days shall be permitted to obtain the signatures of at least twenty-five (25%) percent or more of the active members of the Association. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the Association President the petition(s) containing original signatures.
6. The Association President shall have ten (10) school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an addition fifteen (15) school days in which to gather and submit the necessary signatures. The Association President shall have five (5) school days in which to verify the membership of the additional signers.
8. The Association President shall furnish a ballot to the members no less than twenty (20) school days after verification of membership. Only official school days shall be counted.
9. Regular election procedures (e.g., election of officers) shall be followed.
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.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

XIII. POLITICAL ACTION COMMITTEE

- A. Castro Valley Teachers Association PAC (CVTA-PAC), will recommend candidates or officeholders by using a process of interviewing the local candidates. Our recommendation process will follow a thorough and fair process in which:
1. A cover letter and questionnaire will be sent to all candidates.
 2. All candidates returning the written questionnaire will be interviewed.
 3. CVTA-PAC will report interview results to the Rep. Council which will then vote with a 2/3 majority on our Association's recommended list of candidates.
 4. No funds or support in kind may be spent on non-recommended candidates.
 5. CVTA-PAC may issue recommendation letters or statements of recommendation with reasons for the recommendation for purposes of press releases or member education after approval.
- B. CVTA-PAC may recommend a position on state and local issues (including ballot measures) from the standpoint of educational issues without regard to partisan consideration.
1. The CVTA-PAC may research state and local educational issues (including ballot measures).
 2. The CVTA-PAC will report the research results to the Rep Council, which will then vote with a 2/3 majority on recommendation for position.
 3. No funds or support in kind may be spent on non-recommended issues.
 4. CVTA-PAC may issue recommendation letters or statements of recommendation with reasons for the recommendation for purposes of press releases or member education after approval.
- C. Composition of CVTA-PAC will be 3 to 7 members including the President, Vice-President, and PAC Treasurer. Members shall be appointed by the Association President with the consent of the Executive Board. Reasonable efforts will be made to promote diversity on the CVTA-PAC.
- D. Funding of CVTA-PAC will be voluntary. A voluntary amount of \$1.50 per member per month will be placed in the account of CVTA-PAC. These monies will remain segregated from the general membership account. Members choosing not to contribute to the CVTA-PAC will fill out CVTA-PAC Opt Out Letter annually by November 1 to divert the \$1.50 monthly contribution to the General Fund.
- E. The Executive Board may vote to transfer the funds into CVTA-PAC at the start of the fiscal year, rather than waiting for the monthly dues transfer from the District.

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. The President and Vice-President shall be ex-officio, non-voting members of all committees.
- C. At the first Representative Council Meeting in September, the President shall submit a list of nominees to fill vacancies of Chairpersons of Standing Committees with the advice and consent of the Executive Board, subject to ratification by a simple majority vote of Representative Council.
- D. The terms of service of Chairpersons and committee members shall be for one (1) year, except as otherwise established herein.

E. Special Committees and Task Forces shall be appointed as needed by the Executive Board in accordance with the policies of Representative Council. Such committees shall study and report in the area assigned to them by the Executive Board and Representative Council.

F. Chairpersons shall provide either verbal or written reports from their committees upon request of the Executive Board or Rep Council.

G. Certain committee chairpersons shall receive an annual stipend of \$250, as specifically approved by the Representative Council.

H. Standing Committees shall report and act within their assigned field of research and responsibility under direction of the Executive Board and Representative Council.

1. The Membership Committee
 - a. verify membership with CTA
 - b. keep an accurate roster of the membership of the Association
 - c. maintain an address and email list of all members
2. The Elections Committee shall:
 - a. ensure that all CVTA/CTA/NEA election codes and timelines are followed;
 - b. establish election timelines;
 - c. develop and carry out timelines and procedures;
 - d. prepare ballots for all elections;
 - e. count the ballots and certify the results;
 - f. handle initial challenges;
3. The Political Organizing Committee shall:
 - a. study and present recommendations for political action;
 - b. coordinate political activities with national and state political action groups;
 - c. liaison with CTA/NEA political action chairpersons and committees;
 - d. coordinate local political activities of CVTA.
4. The Grievance Committee shall:
 - a. seek to develop cooperative relations among classroom teachers, administrators and the Board of Education;
 - b. seek to maintain professional standards;
 - c. seek to maintain ethical standards;
 - d. seek to establish a close working relationship with CTA and NEA for the protection and defense of the teaching profession and personnel;
 - e. bring any grievance to the Executive Board for which arbitration is requested;
 - f. provide direct Association assistance to members in each building site;
 - g. communicate grievance procedures and policies to all members;
 - h. protect the contractual and professional rights of members of the bargaining unit;
 - i. keep records and a confidential file on matters directed to and handled by the Grievance Committee.
5. The Political Action Committee shall:
 - a. develop a recommended timeline and budget (The Plan) for the endorsement and campaign activities associated with the campaign;
 - b. consider and interview all viable candidates for recommendation;
 - c. develop a written questionnaire and separate interview questionnaire;
 - d. meet and select candidates for recommendation by a 2/3 majority,
 - e. choose to refrain from recommending candidates, recommend candidates, or remain "open," which allows individual CVTA members to endorse candidates
 - e. organize campaign activities;
 - f. report its recommendation to the Executive Board at the conclusion of interviews;
 - g. the recommendation will be put to a vote at the Representative Council, preferably a month prior to the mailing of absentee ballots, and must be ratified

- by a 2/3 majority vote;
- h. all parts of The Plan must be approved by the Association President.

XV. MEETINGS OF THE GENERAL MEMBERSHIP

- A. Meetings of the Association may be called by the President, the Executive Board, a quorum of Representative Council, or by written petition of fifteen percent (15%) of the active membership.
- B. 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 five (5) working days before the meeting, except during crisis situations, as determined by the Executive Board.
- 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 general meetings of the Association shall be 25% of the active membership.
- E. The Representative Council shall meet at least once each month when school is in session. The meeting dates shall be determined at the first regular meeting of Representative Council in September.
- F. The Executive Board shall meet monthly and at such other times as the President or a majority of the members of the Executive Board may deem necessary.
- G. Standing and Special Committees shall meet as deemed necessary or by agreement of Chairs and Committee members.
- H. Building Representatives should attempt to meet site faculties regularly as part of faculty meetings or prearranged Association meetings, and/or communicate with members via bulletins, newsletters, or posted notices.
- I. All elected or appointed members of Representative Council should attend the CVTA Retreat and Workshop held in August of each new school year.
- J. Contract Ratification Meetings of general membership shall be conducted as follows:
 - 1. Representative Council shall have Contract proposals in writing at the Representative Council meeting prior to ratification, or two weeks prior, whichever is greater.
 - 2. The Negotiations Chair shall present and discuss the proposal with Representative Council;
 - 3. The Negotiations Committee shall provide a phone number or direct personal contact for questions from site faculties;
 - 4. Building Representatives shall post, distribute and discuss the Contract proposal with site members;
 - 5. Notification of Contract Ratification meetings, including date, time, and place, shall be received by all members no later than five (5) working days prior to the meetings;
 - 6. Adequate time shall be provided during the Ratification meeting to discuss members questions and concerns;
 - 7. Voting may commence at this meeting by site, with written ballots and site rosters (or via electronic voting), and/or the timeline and procedures shall be announced for subsequent voting to take pace at individual sites.
 - 8. Absentee ballots must be provided to any members requesting them in advance, and provisions must be made for timely collection and counting of these ballots;
 - 9. At any point in the Ratification meeting that members feel they are unprepared for an informed vote, a motion to table the voting may arise from the membership.

10. A motion to table the voting may pass by a simple majority (50%+1) of members present;
11. Should voting be postponed, notification for another Ratification meeting shall follow steps 5-8, above;
12. Should the situation warrant, an emergency meeting of Representative Council shall be called to establish procedures to accomplish the ratification or to direct the Negotiations Committee as to the wishes of members;
13. The President shall be responsible for notifying members of meeting, results, postponements or emergency meetings;
14. Should the Ratification vote be taken at the original ratification meeting, ballots (including absentee ballots) shall be collected and counted by the Elections Committee with no member of the Negotiations Committee present either ex- officio or as Observer; the vote for ratification will be considered passed with a pro vote of a simple majority (50% + 1) of counted ballots, including absentee ballots, unless electronic voting is utilized.
15. The President shall announce the results of a successful Ratification vote to all site faculties in writing within two working days of polling;
16. Election procedures (Article XII) shall be followed by the Elections Committee in this as other elections.

XVI. MEMORANDUMS OF UNDERSTANDING (MOUS)

A. Procedure for MOUs

1. Only the President of CVTA can sign off on a Memorandum of Understanding, with the approval of the Executive Board.
2. MOUs are good for one year only.
3. MOUs can be renewed at the end of each year.
4. All proposals for MOUs must be presented to the CVTA Executive Board no later than two weeks prior to the last Executive Board meeting of the year.
5. All proposals must be in written form and copies must be prepared for distribution.
6. MOUs must be done whenever a site decides to implement educational reforms that have an impact on or require a change to the contract. (Examples: Grant Proposals or Change in School Day or Year)

XVII. PARLIAMENTARY AUTHORITY

A. 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.

XVIII. 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 members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

B. In accordance with CTA policy on Governance Documents, each 5th anniversary year of Association Chartering, a Bylaws Revision Committee of no less than three Representative Council members shall review, update and revise these Bylaws.

- C. The Bylaws Committee will submit recommendations in writing to Representative Council at the March meeting.
- D. Representatives will post copies at each school site, inform members of revisions, solicit additional revisions and conduct polling or voting as necessary to adequately inform their vote as Representatives.
- E. At the April Representative Council meeting, all additional revisions will be included for final draft to be submitted in May for Representative Council ratification.
- F. Final Documents shall be forwarded to the CTA Governance Committee.
- G. Should this timeline be interrupted or forestalled, this procedure must be completed before December 31st of the same calendar year.

Rewritten in accordance with CTA Guidelines for Development of Constitution, Bylaws and Standing Rules for Chartered Associations of CTA, Revised Version, 1997.

1st

Draft submitted to Representative Council March 18, 1998.

Bylaws Revision Committee

Cynthia Meyer

Karen Wertenberg

Karen Madara

Proofed and edited by Representative Council, Spring 2000.

Submitted to general membership April 7, 2000.

Ratified by Representative Council April 19, 2000.

Submitted to CTA May, 2000.

CTA Compliance Review February 2001

Revisions in compliance with CTA recommendations 2002-2003

Bylaws Committee proofed and edited a new computer edition February 2004 (Rep

Council notion 2/18/2004)

Five year review including amendments April 2006.

Submitted to CTA by committee: Cynthia Meyer, Terri Bucklin, Sarah Burke, May 2006.

Changes made to Castro Valley Teachers Association By-Laws and approved by Rep Council

May 20, 2009

Complete revision in April 2014 by Jason Berberian and Carmelina Frasca, Mark Mladinich and Mark Maidlow