



***REQUIREMENTS FOR
DEVELOPMENT OF
BYLAWS FOR
CHARTERED
CHAPTERS
OF CTA***



2018 – 2019

CTA GOVERNANCE DOCUMENTS REVIEW COMMITTEE



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REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

BEFORE YOU START, READ ME FIRST

1. **Why does the Governance Documents Review Committee have to review chapter governance documents?**

As you know, by entering into an affiliation relationship with CTA and enjoying the benefits of that affiliation relationship, each chapter agrees to be bound by all NEA and CTA governing documents, including the CTA Bylaws, Standing Rules, and Requirements for Development of Bylaws for Chartered Chapters of CTA, as they may be amended from time to time. CTA Standing Rule 4-1 and NEA Bylaws 8-7 require that the governance documents of all chapters and affiliates shall be reviewed by the Association at least once every five years to determine compliance with minimum standards for chartering and affiliation.

2. **How do chapters get help with their revisions or communicate with the Governance Documents Review Committee?**

Communications to the Governance Documents Review Committee should be addressed as follows:

Governance Documents Review Committee
c/o Governance Support Department
California Teachers Association
1705 Murchison Drive
Burlingame, CA 94010
(650) 552-5302
dchurchill@cta.org

3. **How can a chapter know if its governance documents meet current chartering standards?**

Request a review by the Governance Documents Review Committee by submitting your current governance documents.

4. **Why do CTA chapters have to meet NEA requirements?**

California Teachers Association is a state affiliate of the NEA and in order to meet its obligations, CTA must require its members and chapters to comply with NEA standards. Further, CTA chapters must be affiliated with the NEA as required by CTA Standing Rule 4-1.

5. **Why use *Robert's Rules of Order, Newly Revised, latest edition*, as the parliamentary authority?**

It is the most widely accepted authority on parliamentary procedures.

6. **What is a quorum?**

According to *Robert's Rules of Order*, a quorum is the minimum number of voting members who must be present at a properly called meeting in order to conduct business.

7. **Why must chapter governance documents include provision for the “one-person one-vote” principle?**

This guarantees equal representation and is a requirement of CTA under Standing Rule 4-1a and also of NEA under Bylaws 8-7-a.

8. **What is meant by “one-person – one-vote”?**

CTA Standing Rule 4-1a and NEA Bylaw 8-7 requires NEA affiliates to apply the one-person – one-vote principle for representation on its governing bodies, with some exceptions.

NEA Standing Rule 13C defines the principle as follows: *One-person – one-vote* principle shall mean a voting procedure by which the vote of each member of the constituency has equal weight, so that in the elected governing body each delegate represents approximately the same number of constituents as each and every other delegate.

9. **What is meant by Open Nominations?**

Open Nominations means that all Active members may be nominated or self-nominated and who choose to run for that position shall have their names placed on the ballot.

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10. What is meant by Secret Ballot?

A secret ballot means that a written or printed ballot is used with all eligible voters being given the right to vote in secret.

11. Who is entitled to vote in chapter elections?

All Active members shall be eligible to vote in chapter elections except where the election is restricted to a specific group of Active members, i.e., such as elections for faculty representatives or directors representing geographic or level constituencies.

12. Why is it necessary to have special elections to fill vacancies in elected offices? Why can't the President appoint someone to fill a vacancy?

CTA/NEA rules require that only elected persons serve in elective governance positions. Therefore, when a vacancy occurs, a special election is the only way the electorate has to ensure that the office will be filled by a person representing a majority of the electorate. An appointee of the President only represents the President.

13. Who votes on the Executive Board and/or Representative Council?

CTA/NEA rules require that all voting members of governance bodies be elected by the membership they represent. Therefore, appointed persons may serve on representative councils and executive boards in a non-voting status.

14. What about State Council representatives, Service Center representatives or CTA/NEA office holders?

You have the option of having them serve, but if they are not elected by your members, and only by your members, they cannot have a vote. For example, a State Council representative in a multiple chapter seat cannot vote.

15. Can chapters have an immediate past president on their executive board?

CTA recommends against having a past president, but if you do, they must be non-voting and only serve for one year.

16. Can chapters have Co-Presidents?

No, it is not consistent with CTA/NEA affiliation standards or *Robert's Rules of Order*.

17. Can Chapters use a President-elect system?

No. Chapters must hold a direct election for President with open nominations and secret ballot.

18. When do you have a Representative Council?

When you have multiple sites and/or a large number of members. Remember that the quorum requirement for your policy making body must be a majority of the members of that body. If a majority of your Active members can regularly meet, then this could be your policy making body.

Specific duties, roles and responsibilities of the policy making body:

- Establish policies and objectives for the chapter
- Adopt the budget
- Establish dues of the chapter
- Approve establishment and discontinuance of committees
- Approve grievance procedures
- Approve or amend chapter Bylaws (by 2/3 vote)

19. This seems complicated, how can I get this done in an expedited process?

Follow the appropriate template, which is available online or in print. Template A is for chapters using the Active members of the Association as their policy making body. Template B is for chapters using a Representative Council as their policy making body.

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COUNTY OFFICE OF EDUCATION CHAPTERS – READ ME FIRST

We are a County Office of Education (COE) chapter. How does this work for us?

The CTA Board of Directors created a task force to study the unique issues for COE chapters in meeting requirements for Bylaws and Elections Standing Rules. Geography, communication and elections are the areas particularly challenging for COE chapters. Elections issues were referred to the CTA Elections Committee.

- COE chapters may post elections results electronically

How do we decide if our policy making body will be the Active members of the Association or a Representative Council?

Remember that the quorum requirement for your policy making body must be a majority of the members of that body. If a majority of your Active members can regularly meet, then this could be your policy making body. If you choose to have a Representative Council you can group members geographically or by work type for purposes of representation. Remember that the primary duties of leadership are representation of and two way communication with your members.

Specific duties, roles and responsibilities of the policy making body:

- Establish policies and objectives for the chapter
- Adopt the budget
- Establish dues of the chapter
- Approve establishment and discontinuance of committees
- Approve grievance procedures
- Approve or amend chapter Bylaws (by 2/3 vote)

Template A is for chapters using the Active members of the Association as their policy making body.

Template B is for chapters using a Representative Council as their policy making body.

The CTA Governance Document Review Committee is available to answer questions and assist you in designing a structure that can work for you and be in compliance with CTA and NEA requirements.

GOVERNANCE DOCUMENTS REVIEW COMMITTEE

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Function, Program and Service of the Committee

The Governance Documents Review Committee was initiated by the CTA Board of Directors.

Both CTA and NEA include as part of their chartering standards for chapters (locals) an ongoing review of the governance documents of chartered chapters (locals) at least once in every five (5) year period.

The Governance Documents Review Committee has been designated the body within CTA to conduct this review of governance documents for CTA and NEA. The Committee will review a chapter's governance documents and report back to the chapter its findings and recommendations.

Charge to Committee.

The Governance Documents Review Committee shall have the following duties and functions:

1. **Purpose.** This Committee conducts ongoing reviews of governance documents of chartered chapters for CTA and NEA. It reports its finding to local chapters. Upon request, these reports shall be made available to the CTA Board of Directors.
2. **Other duties include:**
 - a. Review of chartering procedures, including the methods of granting and withdrawal.
 - b. Review of specific charter applications with recommendations to the Board of Directors for final action.
 - c. Review of chartering status of local CTA chapters.
 - d. Performance of any other governance document related reviews that may be referred to the Committee by the Board of Directors.

CTA Standing 8-10
Adopted March 2001

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Chapter governance documents may include: Articles of Incorporation¹, Constitution², Bylaws, and Standing Rules. CTA Standing Rule 4-1 requires each chapter to submit a copy of its governance document(s) for review when applying for a charter, when they have amended their current document(s), or when requested to do so for the required five-year review.

CTA requires that chapters use a Bylaws document and adhere to the elections procedures in the *CTA Requirements for Chapter Election Procedures* as this provides the most convenient and effective forms of governance documents (*the templates below conform to CTA and NEA requirements*):

Template “A” — for chapters not using a representative body; Pages 20-25

Template “B” — for chapters using a representative body; Pages 26-32

CTA suggests that a committee be formed in the interest of making the task of drafting new or revised governance documents easier. This committee’s responsibility is to draft and proofread the documents, looking for contradictions, major omissions, or other errors.

1. The purpose of bylaws is to ensure the orderly operation of your association, guaranteeing a democratic process and individual rights. Bylaws are broad and general statements of the philosophy, goals, and basic foundation of the organization’s governance structure. They are not easily changed, requiring prior notice to the governing body and an affirmative vote by 2/3 of those voting.
2. A chapter may also have Local Standing Rules that are the day-to-day rules by which the organization runs its meetings and business. However, these standing rules are not required to be submitted for review as long as these do not conflict with the Bylaws or *CTA Requirements for Chapter Election Procedures*.
3. Standing Rules can be changed in order to adapt to changing conditions and policy by a majority vote of the Executive Board.

Chapters that have unique problems of size, organization and multiple campuses should contact the Governance Documents Review Committee through the Governance Support Department for assistance in drafting or revising governance documents to meet these special needs.

¹ If a chapter is incorporated, its Articles of Incorporation are a part of its governance documents and must be kept on file at the chapter for reference.

² If a chapter has both a Constitution and Bylaws, its Constitution must be consistent with its Bylaws and amended by the same process as its Bylaws.

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CTA STANDING RULE 4-1: CHAPTERS (LOCALS)

1. **Standards for Chartering.** A Charter is defined as a mutual contract between the Association and a chapter (local) to work cooperatively within the rules established (in order of precedence) by the national affiliate (NEA), the state affiliate (CTA) and the local affiliate of CTA/NEA (the Chapter) and such contract includes an understanding that each chapter, by entering into an affiliation relationship with CTA/NEA and enjoying the benefits of that affiliation relationship, agrees to be bound by NEA and CTA governing documents, including the CTA Bylaws, Standing Rules, and Requirements for Development of Bylaws for Chartered Chapters of CTA, as they may be amended from time to time. A Charter belongs to the CTA/NEA membership of California, the agent for which is the CTA Board of Directors, acting within policies adopted by the State Council of Education. The Association shall not charter a chapter (local) unless it meets the following minimum standards: *(Amended March 1982, April 2015)*
 - a. Each chapter (local) shall apply the one-person, one-vote principle for representation on its governing bodies except that the chapter (local) shall guarantee ethnic-minority representation at least proportionate to its ethnic-minority membership.
 - b. The chapter (local) shall conduct all elections with open nominations and a secret ballot.
 - c. The chapter (local) shall require membership in the Association and in the NEA.
 - d. The chapter (local) shall adopt a policy that recognizes the preeminence of the "Code of Ethics of the Education Profession."
 - e. The chapter (local) shall submit current governance documents and other requested evidence of compliance with current minimum chartering standards upon request of the Governance Documents Review Committee, and in no case less frequently than on every fifth anniversary of the charter date. *(Amended February 1995)*
 - f. The chapter (local) shall cooperate with the Association in any audit of the Chapter (local) books and records. CTA may periodically audit any chapter. *(Adopted March 1994; Amended May 2010)*
 - g. Alternatively, upon receipt of a complaint or inquiry by a member of a chapter (local) alleging or concerning possible inaccuracies, discrepancies, misuse or misconduct with respect to Chapter (local) finances, funds and/or property, the CTA Executive Officers shall have the authority to designate a representative to take charge of all financial books, records and account of said Chapter (local) and/or may employ a certified public accountant to audit same. *(Amended May 2010)*
 - (1) The report and findings of the representative(s) or the certified public accountant shall be filed with the chapter (local) president and the CTA President.
 - (2) The refusal of the Chapter (local) or its officers to provide the Association's representative(s) or designated certified public accountant with access to the Chapter's (local's) financial books, records and accounts, and/or the refusal of the Chapter (local) or its officers to cooperate with said representative or the certified public accountant, shall be cause, in order to protect Chapter (local) integrity pursuant to Article X, Section 5 of the Bylaws, for the CTA Executive Officers to initiate proceedings for the imposition of a trusteeship under Section 8.a of this Standing Rule. *(Renumbered May 2010)*
 - h. The Chapter (local) shall have the same membership and fiscal year as that of the Association and shall maintain current dues transmittal status with the state and national associations as defined by the policies of those associations. *(Adopted February 1982)*
 - i. The Chapter (local) membership categories shall not compete with those of another UTP Chapter (local) within the same employing jurisdiction.
 - j. The chapter (local) governance documents shall be consistent with the Association and NEA governance documents, and shall include the following minimum provisions:
 - (1) Name and location (county) of the chapter (local), including that its official title shall be: "Name of Chapter, CTA-NEA."
 - (2) Statement of purposes which shall include as a primary purpose that of representing 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.

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- (3) A provision acknowledging its status as a chapter (local) of the Association and NEA.
 - (4) Officers and their duties, method of election, term of office, how vacancies are filled, and a provision that all officers of the chapter (local) shall be and remain currently paid-up members of the chapter, CTA and NEA as a condition for nomination to and service in their respective positions.
 - (5) Meetings; provision for calling, frequency, and quorum.
 - (6) Provisions for amending the constitution or bylaws or both.
 - (7) Provisions that the disciplining of members by the chapter shall be subject to the use of a due process hearing including the established appellate procedure. *(Adopted September 1978)*
 - k. The chapter (local) shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full Chapter/CTA/NEA dues.
2. **Application Procedures for Charters.** Applications for recognition as a chapter (local) of the Association shall be submitted to the Board of Directors on a current official form, as prescribed by the Governance Documents Review Committee. *(Amended November 2004, June 2008)*
- a. One copy of all governance documents, i.e.:
 - (1) Articles of Incorporation.
 - (2) Bylaws.
 - (3) Standing Rules.
 - b. Letter of compliance with one-person – one vote principle coupled with racial and ethnic-minority guarantees.
 - c. Copy of application for non-profit status filed with State Franchise Tax Board and Internal Revenue Service in the case of a chapter whose gross annual income is anticipated to be at least \$5,000.
 - d. A letter of release in the case of chapters withdrawing from an existing multiple-district chapter.
3. **Processing of Applications.** After such preliminary administrative processing as may be deemed pertinent, applications shall be referred to the Committee for a study as to substantive conformance with the policies of the Association, with guarantees of democratic process and accountability to the local members, and conformity with the current “Requirements for Development of Bylaws and Standing Rules for Chartered Chapters of CTA.” The Committee shall return the results of this study together with its recommendations to the Board of Directors. *(Amended February 1995)*
4. **Granting of Charters.** The final granting or denial of initial recognition as a chartered chapter (local) of the Association shall be by majority vote of the Board of Directors, based upon the recommendations of the Committee together with any further study of the matter by the Committee which may be directed, in exceptional cases, by the Board of Directors. In the event that a chapter (local) is not recommended for a permanent charter, the Committee may recommend and the Board may grant interim status within the following categories pending the meeting of stipulated further requirements within the stated time limits: *(Amended February 1995)*
- a. A Temporary Charter shall be valid for up to ninety (90) days.
 - b. A Provisional Charter shall be valid for a period of not more than one year. Such provisional charter may be renewed by the Board of Directors upon evidence of extenuating circumstances that prevent completion of chartering requirements. *(Amended October 1978)*
5. **Administrative Issuance of Charters.** Following action by the Board of Directors, the Executive Director shall oversee the issuance of the actual charter, to be authenticated with the signature of the President and the Executive Director.

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6. **Continuing Review of Chapter (local) Status.** The Association shall maintain records on each chapter (local) of the Association, in which shall be filed the original application form, the initial chartering study of the Committee, and copies of the governance documents of the chapter (local) to include amendments as they are adopted. The Committee shall conduct an ongoing review of these documents to insure that chapters are taking all necessary steps to be in compliance with current chartering standards. (*Amended February 1995, November 1997*)
- If a chapter's governance documents are not submitted to CTA in a timely manner, a second request for the documents shall be mailed by certified mail, return receipt requested. This second request shall advise the chapter that continued refusal to submit the requested documents shall be referred to the CTA Executive Officers for investigation as to whether cause exists for Standing Rule 4-1.8, "Protection of Chapter Integrity," to be invoked. Copies shall be sent to the CTA geographical director, NEA geographical Director, the regional or Community College Association manager, and the primary contact staff person. (Adopted November 1997)
 - If a chapter remains out of compliance with CTA and NEA affiliation requirements, the Committee shall refer the matter to the CTA Executive Offices for investigation as to whether cause exists for Standing Rule 4-1.8, "Protection of Chapter Integrity," to be invoked. (Adopted November 1997)
 - Notwithstanding the above best practices, it is ultimately each chapter's responsibility to ensure that it is in compliance with CTA governing documents, including CTA Bylaws, Standing Rules, and Requirements for Development of Bylaws for Chartered Chapters of CTA, and nothing in Rule 4-1(6) limits CTA's authority to invoke Rule 4-1(8) as appropriate. (Adopted November 1997, April 2015)
7. **Chapter Assistance and Intervention.** In the event a chapter has been identified in need of assistance beyond regular CTA program services, a Chapter Assistance & Intervention Team (CAI Team) shall be appointed by the CTA president. This team shall hold a formal investigation following procedures established by the CTA Board, described in the Procedures section of the Organizational Handbook. Any chapter involved in assistance and intervention is expected to comply with and will be assisted in implementing requirements adopted by the CTA Board. If a chapter fails compliance, the CTA Board will decide whether cause exists for further intervention, up to and including implementation of Standing Rule 4-1(8) Protection of Chapter Integrity. (*Adopted December 2005, Amended November 2010 February 2011*)
8. **Protection of Chapter Integrity.** To protect chapter integrity, as provided in Article X, Section 5 of the Bylaws, CTA may establish a trusteeship over a chapter (local).
- Initiation of Proceedings.** If the Executive Officers vote unanimously that adequate cause to establish and administer a trusteeship exists under Article X, Section 5 of the Bylaws, they will recommend to the Board of Directors that a trusteeship be established.
 - The President will transmit that recommendation to all members of the Board, in writing, within five (5) working days of the Executive Officers' vote.
 - The notification to the Board will include a statement that sets forth the basis for the Executive Officers' conclusion that adequate causes exists for the establishment and administration of a trusteeship.
 - Disaffiliation.** Any action taken by a chapter (local) to withdraw or disaffiliate from the Association after the Executive Officers have determined that adequate cause exists to establish a trusteeship over that chapter (local) will be invalid unless each and all of the following steps set forth in Standing Rule 4.2 have been taken. (*Amended May 2010*)
 - Establishment of Trusteeship and Hearing Procedures.**
 - The CTA Board of Directors will act upon the Executive Officers' recommendation to establish a trusteeship at its next regularly scheduled meeting - or at a special meeting called to consider the recommendation.
 - If two-thirds (2/3) of more of the members of the CTA Board of Directors vote to adopt the Executive Officers' recommendation, the chapter (local) will be in trusteeship as of the moment the vote is recorded.
 - Once a trusteeship is established, the CTA President will nominate a trustee.

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- (4) Once a majority of the Board of Directors votes to confirm the President's nominee, the trustee will immediately assume all powers and duties delegated to trustees under Section 8.d of this Rule.
 - (5) The CTA Board of Directors will - within twenty (20) working days - convene a hearing to review the justification for the trusteeship and to determine whether and under what conditions it should be continued.
 - (6) The CTA Board of Directors will conduct or supervise the hearing. If it chooses to supervise rather than conduct the hearing, the Board will delegate to a Board Trusteeship Hearing Committee of no fewer than three (3) of its members - none of whom shall be CTA Executive Officers - all responsibility for receiving evidence, hearing arguments, and preparing a written report of the hearing.
 - (7) All members of the chapter (local) placed in trusteeship will be afforded the opportunity to present their views on the matter at the hearing conducted by the CTA Board or by the Board Trusteeship Hearing Committee. Notice of the hearing will be given to the members of the chapter (local) no fewer than five (5) working days before the hearing is held.
 - (8) At its next regularly scheduled meeting - or at a special meeting called for that purpose - following the hearing - the CTA Board of Directors will vote on the question of whether the trusteeship should be continued.
 - (a) If two-thirds (2/3) or more of the members of the Board of Directors who vote on the question vote "yes," the trusteeship will be continued.
 - (b) If more than one-third (1/3) of the members who vote on the question vote "no," the trusteeship will be immediately dissolved and the suspended chapter (local) officers will be restored to their positions unless - consistent with provisions and procedures in the CTA Bylaws, CTA Standing Rules, and chapter (local) governance documents - one or more of those positions is to be newly filled.
 - (9) The autonomy of a chapter (local) shall be suspended during a trusteeship.
- d. **Powers and Duties of Trustees.**
- (1) A trustee will serve until a trusteeship is dissolved or until s/he is removed by the CTA President with the concurrence of a majority of the members of the CTA Board of Directors.
 - (2) A trustee's authority will exist, undiluted, until such time as the CTA Board votes to lift the trusteeship or to modify the trustee's authority.
 - (3) During his/her period of service, a trustee will act for and on behalf of the chapter (local) placed in trusteeship. Subject of the direction and control of the CTA President, a trustee will have the power to manage and conduct all affairs of the chapter (local) - and specifically, though not exclusively, to:
 - (a) Take possession of the books, records, funds and other assets of the chapter (local), to be held in trust and used only in the proper conduct of its affairs.
 - (b) Negate or override any decision of the chapter's (local's) officers or governing bodies.
 - (c) Remove chapter officers and other elected representatives for the duration of the trusteeship.
 - (d) Direct, supervise, and discipline any and all employees of the chapter (local).
 - (e) Appoint, with the concurrence of the CTA President, a deputy trustee.
 - (f) Take any other actions as, in the trustee's judgment, may be necessary to protect the integrity of the Association.
 - (4) The Board of Directors may, at any time during a trusteeship, modify the powers and duties of a trustee.
 - (5) The trustee will make periodic reports to the CTA Executive Officers on the status of the trusteeship.
 - (6) The Executive Officers will transmit those reports to the Board of Directors for review and, as appropriate, modification.

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- (7) The Board of Directors will forward those reports, as they may be modified, to the State Council of Education for further review, discussion, and recommendation back to the Board for reconsideration.
- (8) The trustee will hold all-member meetings of the chapter (local) at least quarterly for the purpose of reporting on the status, affairs and transactions of the chapter (local). Advisory votes may be taken at those meetings; but no such vote will be binding on the trustee or in any way affect the existence or conditions of the trusteeship.
- e. **Termination of Trusteeship.** The CTA Executive Officers, with the concurrence of a majority vote of the CTA Board of Directors, will terminate a trusteeship as soon as the cause for its establishment is removed.
 - (1) Prior to the termination of a trusteeship, the trustee will conduct an election - in accordance with the applicable provisions of the Association's governing documents and policies - to fill, as the termination of the trusteeship, all elected positions within the chapter (local) that are vacant.
 - (2) Upon termination of the trusteeship and, where appropriate, the assumption of the office by newly elected chapter (local) officers, the trustee will return control of the chapter's (local's) books, records, funds and other assets to its elected officers.
 - (3) The trustee will make a final accounting of his/her trusteeship and submit copies of his/her report to the CTA Board of Directors and to the chapter (local).
- f. **Financial Responsibility.** During a trusteeship, the assets of a chapter (local) will be expended only for the conduct of the chapter's (local's) affairs.
 - (1) In imposing or retaining a trusteeship, the CTA Board of Directors may require a chapter (local) to bear all expenses incurred in connection with the imposition, administration, and termination of the trusteeship.
 - (2) No financial obligation or liability of the chapter (local) which may exist at the time a trusteeship is established - or which may be incurred during a trusteeship - will be assumed or will become an obligation of CTA.
- g. **Finality and Appeal.** All actions of the CTA Board of Directors will be final, subject only to the review of the CTA State Council of Education.
 - (1) If the Board establishes a trusteeship - or declines to modify or lift an existing trusteeship - the chapter (local) may appeal the Board's decision to the State Council.
 - (2) To be valid, an appeal from the chapter (local) must be signed by at least ten (10) percent of the chapter's (local's) active members in good standing and must be transmitted to the CTA President - by certified mail or signature-required commercial delivery.
 - (3) The State Council will rule on the chapter's (local's) appeal at its first meeting after the CTA President receives written notice of the appeal, provided that the CTA President receives the appeal at least forty (40) days prior to the next scheduled State Council meeting.
 - (4) Absent a timely appeal to the State Council, all actions of the Board of Directors shall be final and binding on all parties and members. (*Amended March/June 1993*)

CTA STANDING RULE 4-2: WITHDRAWAL OR DISAFFILIATION.

In accordance with Article IX, Section 1, of the Bylaws, a local chapter may withdraw or disaffiliate from CTA at the completion of the following procedures.

- a. The chapter president must notify the CTA President in writing of the chapter's intent to consider withdrawal or disaffiliation. Such notice must be made sixty (60) days prior to any formal vote.
- b. A formal, roll-call vote of the chapter's (local's) board of directors must precede any membership vote to withdraw or disaffiliate.
- c. Each member of the chapter's (local's) board must be given fourteen (14) days advance notice prior to the meeting at which the formal, roll-call vote is conducted.

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- d. A majority of the chapter's (local's) board of directors must certify the results of the formal, roll-call vote by signing a copy of the withdrawal or disaffiliation motion.
- e. A copy of the withdrawal or disaffiliation motion, signed by a majority of the chapter's (local's) board of directors must be sent to the CTA President by registered mail or signature-required commercial delivery or service by a process server in accordance with the California Corporations Code.
- f. A secret-ballot, all member vote must confirm the withdrawal or disaffiliation vote of the chapter's (local's) board of directors by a two-thirds (2/3) majority of all members in good standing and eligible to vote in chapter (local) elections.
- g. The secret-ballot, all member vote must be scheduled no fewer than sixty (60) and no more than one hundred and twenty (120) days after the chapter's (local's) board of directors has notified the CTA President of its formal, roll-call vote to withdraw or disaffiliate.
- h. The secret-ballot, all-member vote must not be conducted by mail.
- i. CTA must be allowed the right to designate observers to monitor each stage of the secret-ballot, all-member vote, including the preparation, distribution, casting, collecting, and counting of the ballots to insure that due process and fair election principles are upheld.
- j. If the vote is to withdraw or disaffiliate, and it is not challenged in accordance with the procedures set forth in the then-current Elections Manual, the decision will be final in thirty (30) days.
- k. If an appropriate challenge to the results of the election is made in accordance with the then-current Elections Manual, then the results of the election are not final until the challenge procedures are exhausted.
- l. If the vote is to withdraw or disaffiliate, such withdrawal or disaffiliation will not be effective until all financial obligations to CTA/NEA are paid, subject to audit by the chapter and CTA (*Adopted May 2010*)

CTA STANDING RULE 5-3: TRANSMITTAL AND FTE COMPUTATION OF MEMBERSHIP DUES

1. **Membership Year.** The membership year shall be September 1 through August 31 of the following calendar year. Dues shall be delinquent for any class of member on October 31 of the current membership year unless fully paid in cash or being paid under a valid payroll deduction authorization which the member has executed and filed with the employer or by any one of the other payment methods approved by the Board of Directors and which will result in the collection of full dues prior to the end of the membership year.
(*Amended December 1980, April 1998, June 1998*)
2. **Pro Rata Dues Collection for New Members.** After the beginning of any membership year, the dues of Active or Staff members who are enrolling for the first time may be prorated, provided enrolling by payroll deduction if such deductions are available or by any one of the other payment methods approved by the Board of Directors. Cash payment may also be accepted for the balance of such membership year for any member who enrolls and pays membership dues by continuing payroll deduction or by any one of the other payment methods approved by the Board of Directors thereafter. The pro rata dues for the balance of a membership year may automatically be waived for enrollments taking place on and after April 1st, where it is not possible to obtain payroll deductions during that year, provided the member agrees to retain membership for the entire following membership year.
(*Amended May 1978, October 1978, April 1979, June 1983, April 1998, June 1998*)
3. **General Transmittal Procedures.** The collection, forwarding and disbursement of CTA, NEA and chapter dues shall be under the directions of the Board of Directors which shall establish general procedures for the control of the accounting and disbursement of such dues and payments. The Treasurer shall include in the regular Treasurer's Report to the governance bodies of the Association detailed data as to the collection and distribution of dues income. CTA will not refund over-payment of dues to either a member or a chapter for more than the last three years. (*Amended March 1980, June 1998, June 1999*)

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

4. **Computation of Full-Time Equivalency.** The following policy adopted by the State Council of Education will be utilized in computing the FTE basis for UniServ subventions and other allocation based on FTE computations: "In all cases where full dues and/or representation fees are collected, full UniServ subventions will be paid. In any case where less a full year's Active Chapter/CTA/NEA dues is collected from any individual including but not limited to: the payment of representation fees at less than full dues; collection of less than a year's dues because of late enrollment or mid-year resignation or uncollectibility; or because of enrollment in categories of less than full Active Chapter/CTA/NEA dues; the UniServ subvention shall be computed on a full-time equivalency (FTE) basis for all such collections." (*Amended March 1980, June 1998, July 1998*)
5. **Allocation to Political Action Fund.** The allocation to the CTA/ABC fund, to be administered as provided elsewhere in these Rules by the CTA/ABC Committee, shall be indexed annually at the same percentage as dues. Of this allocation, the sum of no less than \$6.00 shall be designated for political contributions. Each member shall, however, be given the opportunity to have her/his allocation be redirected to the CTA general fund. (*Adopted March 1980; Amended May 1989, November 1994, June 1998, July 1998*)

CTA STANDING RULE 5-7: REPRESENTATION FEES

2. **Transmittal and Allocation of Fee.** The representation fee shall be transmitted on the same basis as that provided for regular membership dues, using a separate identification of the persons involved as non-members. (*Amended July 1998*)

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

CTA BYLAWS: ARTICLE III — MEMBERSHIP

SECTION 1. Categories of Membership. There shall be five classes of membership in the Association: Active, Staff, Student, Retired, and Associate. *(Amended January 1998)*

SECTION 2. General Requisites. Members in good standing must be current in dues payments, meet requirements specified for their category of membership, and meet the following qualifications: *(Amended January 1998; February 2001)*

- a. Membership in the Association is not transferable.
- b. No member shall be permitted to remain in a category of membership for which s/he is no longer qualified. *(Amended January 1998)*
- c. Members who have paid their dues for a membership year in a given category shall not have their rights to membership denied for the balance of that year. *(Amended January 1998)*
- d. Anyone admitted to any category of membership in the Association must also become a member through the payment of dues both in the chapter serving the area or level in which s/he is actively employed and of the National Education Association. *(Amended January 1998)*
- e. Enrollment in all categories of membership is limited to persons who support the principles and goals of the Association and who subscribe to the Code of Ethics of the Education Profession. *(Amended January 1998)*

SECTION 3. Description of Categories and Authorization for Enrollment. The State Council of Education shall have the authority to authorize or to terminate authorization for membership enrollment in any given category, except for the Active category. *(Amended January 1998).*

- a. **Active.** Active membership shall be open to any person engaged in, or who is on a limited leave of absence from, non-administrative, non-supervisory public educational employment. The definition of administrative or supervisory status in higher education units shall be determined by the governing body of the local Association chapter. *(Amended October 1982, January 1998, June 2006)*
- b. **Staff.** Staff membership shall be open to any person employed by the Association or any of its national or state affiliates in a professional staff position.
- c. **Student.** Any person regularly enrolled in an institution of higher education preparing to become a teacher and eligible to become a member of the Student California Teachers Association under the provisions of the governance documents of that association may become a Student member. *(Amended January 1998)*
- d. **Retired Membership.** Any person who at the time of retirement from active service was a member of the Association and who is a qualified applicant for or recipient of service or disability retirement allowances from a public or private retirement system may become a member of CTA/NEA-Retired. Members who are drawing retirement benefits from the State Teachers' Retirement System and/or the Public Employees' Retirement System and are employed as a substitute in a school district on a day-to-day basis shall be considered Retired members, except substitute who are dues-paying members of a recognized bargaining unit. The Board of Directors shall fix the terms and conditions upon which such memberships shall be issued, including the extent to which such memberships shall be free from the payment of assessments and the extent to which such terms and conditions shall not be subject to change or revocation by the Association. *(Amended March 1994, October 1997)*
- e. **Associate.** Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Association. The different types of eligibility and services for such memberships shall be prescribed in the Standing Rules. *(Adopted May 1975; Amended May 1976, June 1980)*

SECTION 4. Membership Cards. The amount and type of dues for each category of membership shall be as prescribed in Article XIV, Section 3. The Standing Rules shall contain the procedures by which dues are collected and transmitted to the Association, including the establishment of provisions for declaring delinquency and forfeiture of membership. The Board of Directors shall have the authority to waive the prescribed dues on an individual basis for extenuating or honorary circumstances. Each member of the Association shall be issued the appropriate membership card. *(Amended January 1998).*

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

SECTION 5. Rights and Privileges of Members.

- a. **Active Members.** Active members in good standing shall be entitled to the following rights and privileges:
- (1) The right to vote on all matters submitted to the chapter membership; (*Amended January 1998*)
 - (2) Eligibility to run for an/or serve in any elective office an/or appointive position in the Association for which qualified, except as specified in Article XIII, Section 4; (*Amended January 1978, February 1981, January 1998*)
 - (3) Admission to and participation in Association meetings except for executive sessions of the Board of Directors; (*Amended January 1978, January 1998*)
 - (4) Receipt of the official publication of the Association; (*Amended January 1998*)
 - (5) The right to due process and choice of representation in any disciplinary proceedings within the Association; and (*Adopted January 1978; Amended January 1998*)
 - (6) Participate in Association services available to the membership. (*Amended January 1998*)
- b. **Other than Active Members.** Persons enrolled in categories of membership other than Active shall be granted such privileges as may be prescribed for that class by actions of the State Council of Education, (*Adopted May 1975; Amended January 1978, June 1980, February 1981, June 1988, January 1998*)

SECTION 6. Obligations of Membership.

Members of the Association shall be subject to the following obligations:

- a. Prompt payment of membership dues; (*Amended January 1998*)
- b. Support and promotion of the stated purposes of the Association; (*Amended January 1998*)
- c. Cooperation with Association officers, representatives and committees in furthering the program of the Association. (*Amended January 1998*)
- d. Conformity with the "Code of Ethics of the Education Profession" adopted by the National Education Association; and
- e. Support of and conformity to the provisions of these Bylaws. (*Adopted May 1975; Amended June 1980, October 1992*)

SECTION 7. Termination/Suspension of Membership.

- a. Membership in the Association shall terminate upon the death or resignation of the member. Membership may also be terminated for: (*Adopted May 1975; Amended January 1978, June 1980, June 1988, January 1998*)
- (1) Failure to pay dues. (*Amended January 1998*)
 - (2) Flagrant or continued violation of recognized professional standards, including the provisions of the adopted code of ethics of the Association. (*Amended January 1998*)
 - (3) Service on a negotiating team representing a school board or representing a board of trustees of a higher education institution, if termination for that reason is requested by the governing body of a CTA chapter in the school district or higher education institution in question. Service shall include being a member of or a consultant to such a negotiating team. (*Added January 1992; Amended January 1998*)
- b. After proper investigation, the Board of Directors may expel or restrict rights of any member by a two-thirds vote by secret ballot. The due process rights of the members, including the right to representation and counsel, shall be safeguarded. (*Amended January 1978, January 1998*)
- c. Any appeal of such expulsion may be made to the State Council of Education whose decision may be final. (*Amended January 1998*)

CTA BYLAWS: ARTICLE X — CHAPTERS (LOCALS)

SECTION 1. Definition of Chapter (Local). A chapter (local) is the basic unit of self-governance within the Association. It may be organized in a manner which comprises any compatible unit and complies with the minimum standards of chartering. *(Adopted January 1976; Amended January 1998)*

SECTION 2. Purposes of Chapters (Locals). The purposes for which chapters (locals) are organized shall include: *(Amended January 1998)*

- a. Maintain and extend loyalty to the Association. *(Amended January 1998)*
- b. Make available to members the services of the Association. *(Amended January 1998)*
- c. Provide communication between the Association and its members. *(Amended June 1971, January 1998)*
- d. Create opportunities at the local level for individual members to participate in the initiation and development of policy for the Association. *(Amended January 1998)*
- e. Serve, as far as practicable, as the basis upon which representation to the State Council of Education and the Service Center Councils shall be determined. *(Amended April 1960, June 1971, January 1998)*
- f. Seek recognition or certification and provide representation for employees in matters relating to wages, hours of employment, health and welfare benefits, leave and transfer policies, safety conditions of employment, class size, procedures to be used for evaluation of employees, organizational security, processing grievances, educational objectives, course content and curriculum, and the selection of textbooks. *(Amended May 1976, January 1998)*

SECTION 3. Unified Dues Requirements. A chapter of the Association shall require that anyone admitted to Active membership in the chapter must also become a member of the Association and of the National Education Association through payment of membership dues. The chapter shall be responsible for payment and transmittal of dues to the Association on a timely basis *(Adopted May 1975; Amended January 1998)*

SECTION 4. Rights of Active Members in Chapters (Locals). Each chapter (local) shall guarantee its Active members an open nomination procedure and a secret ballot. No chapter shall discriminate against its Active members in their right to vote, seek office, or otherwise participate in the affairs of the chapter, the Association, or the NEA. Chapters with members in multi-track, year-round schools shall develop specific provisions to ensure that all members are afforded the right to participate in chapter, Association, and NEA activities. *(Adopted January 1976; Amended January 1991, January 1998)*

SECTION 5. Protection of Chapter (Local) Integrity. The Association may establish a trusteeship over an affiliated chapter. *(Adopted June 1993; Amended January 1998)*

- a. A trusteeship may be established and administered for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of the Association.
- b. The Board of Directors will adopt such rules and procedures as may be necessary to implement this Section. Those rules and procedures define the steps required to initiate, establish modify, and terminate trusteeships; delineate the powers and duties of trustees; and include a process for appealing actions of the Board of Directors – establishing, retaining, modifying or lifting trusteeship – to the State Council of Education for final adjudication. *(Amended January 1998)*

SECTION 6. Rules Governing Chapters (Locals). The qualification, process of chartering and revoking charters, financial obligations, privileges and duties, and process of suspension or expulsion of chapter (locals) shall be as set forth in the Standing Rules of the Association. *(Amended January 1976, January 1998)*

SECTION 7. Restrictions upon Merger. No chapter affiliated by the Association as a governance affiliate shall enter into a merger requiring affiliation with any other organization, or the payment of dues either by individual members or by the chapter to any other organization, whenever such other organization is not affiliated with or by the Association. *(Adopted February 1981)*

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

NEA BYLAWS: ARTICLE 2 — MEMBERSHIP

2-1. Categories.

- a. There shall be six (6) categories of membership in the Association: Active, Student, Retired, Substitute, Reserve, and Staff.
- b. Active membership shall be open to any person (i) who is employed by or in a public school district, public or private preschool program, public or private college or university, or other public institution devoted primarily to education, regardless of the specific nature of the functions that the person performs at the work site and regardless of who actually employs the person; (ii) who is employed by a public sector employer other than a school district, college or university, or other institution devoted primarily to education but who is employed primarily to perform educational functions; (iii) who is on limited leave of absence from the employment described in items (i) and (ii) above; (iv) who is a member of a state affiliate in the state affiliate's Active (or equivalently designated) membership category; or (v) who is serving as an executive officer of the Association or of a state or local affiliate. The Association shall continue to allow Active membership to those Active members (i) who have been laid off due to a reduction in force for as long as such persons are eligible to be recalled, or for three (3) years, whichever is longer; or (ii) who have been discharged for as long as a legal challenge to such discharge is pending.

Notwithstanding any other provision in these Bylaws, a person who is an Active member of the Association pursuant to Bylaw 2-1.b (iv) may continue such membership only if he or she remains a member of the state affiliate in the Active (or equivalently designated) membership category.

An Active member who is engaged in or on a limited leave of absence from professional educational employment shall hold or shall be eligible to hold a baccalaureate or higher degree or the regular teaching, vocational, or technical certificate required by his or her employment or shall be an exchange teacher who is regularly employed as a teacher in another country.

Active membership is limited to persons who support the principles and goals of the Association and maintain membership in the local and state affiliates where eligible. The Association shall not accept as Active members persons who are not eligible for Active membership (or the equivalently designated membership category) in the state affiliate, unless the state affiliate (i) by action of its board of directors (or equivalent governing body) approves such acceptance and (ii) enters into an agreement with the Association pursuant to which the state affiliate agrees to function as the Association's agent for the delivery of Association services and programs to the members in question. Approval by and a service agreement with the state affiliate shall not be prerequisites to the Association's acceptance into Active membership of persons who are not eligible for active membership (or the equivalently designated membership category) in the state affiliate if said persons are members of a local affiliate that (i) is comprised predominantly of persons who are not eligible for active membership in the state affiliate and (ii) was a local affiliate of the Association as of the effective date of this amendment.

- c. Student membership shall be open to any student (i) who is enrolled in a postsecondary program that is preparatory for employment in a position that would make him or her eligible for Active membership or (ii) who is serving as chairperson of the NEA Advisory Committee of Student Members. A student who is eligible for Association membership in both the Student and Active membership categories may, with the approval of the Executive Committee, join the Association as a Student member. Student members shall be eligible to be voting delegates at the Representative Assembly. Student members shall maintain membership in the state affiliate provided the affiliate has a membership category for student members.
- d. Retired membership shall be open to any person who is at least forty-five (45) years of age or who is eligible to receive a pension from an educational employment retirement system (including Social Security), and who was employed for at least five (5) years in a position that qualified him or her for Active membership but who is no longer so employed or who retires and returns to either day-to-day or regular full- or part-time educational employment as part of an early retirement agreement with the local school district. Retired membership is limited to persons who support the purposes and programs of the Association. Retired members shall maintain membership in the state affiliate provided the affiliate has a membership category for retired members and provided the affiliate grants such members at least the right to serve as delegates to its delegate assembly or equivalent body and to be counted toward the representation entitlement for such body.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

Retired members shall have the right to vote, to hold elective or appointive positions in the Association, and to be counted toward the representation entitlement for the Board of Directors and the Representative Assembly as provided in the Constitution and Bylaws.

Retired members shall be eligible to receive Educators Employment Liability Coverage and other benefits and services of the Association authorized by the Board of Directors.

Unless these Bylaws provide otherwise, a person who is eligible for Association membership in both the Retired and Active membership categories shall have the option to join the Association as a Retired or as an Active member.

An Active Life member who is eligible for Retired membership may join the Association as a Retired member while retaining his or her Active Life membership, provided that during the period of such membership, he or she shall be counted for the allocation of delegate credentials, be eligible to participate in Association governance, be eligible to receive Association benefits and services, and be treated for all other Association purposed only as a Retired member.

- e. Unless otherwise provided herein, an educational employee employed on a day-to-day basis who is eligible for membership in the Active category shall have the option of joining the Association as a Substitute member, unless said employee is eligible for NEA Retired membership. The option to join the Association as a Substitute member shall be available only to an educational employee who is employed in a state in which the state affiliate has a substitute membership category and who maintains membership in the state affiliate's substitute membership category. Substitute members shall receive Educators Employment Liability coverage and other benefits and services authorized by the Board of Directors. Educational employees employed on a day-to-day basis who are included in a bargaining unit with full-time educational employees shall be eligible only for Active membership.
- f. Reserve membership shall be open to any person (i) who is on a leave of absence of at least six (6) months from the employment that qualifies him or her for Active membership or (ii) who has held Active or Education Support membership in the Association but whose employment status no longer qualifies that individual for such membership.
- g. Staff membership shall be open to any person employed by the Association or any of its affiliates in a staff position.
- h. Unless these Bylaws provide otherwise, a person who is eligible for more than one (1) membership category shall join the Association in the membership category that provides the greatest degree of participation in Association governance.
- i. A member may appeal the assigned category of membership to the Executive Committee, which shall have authority to make the final determination in this regard.

2-3. Rights and Limitations.

- a. Membership in the Association shall be determined by the local or state affiliate. Where Association membership is denied on the local level by virtue of educational position, the state may provide for such membership by vote of the state delegate assembly. Educational positions eligible for membership shall be determined through secret ballot in all local or state affiliates. Those local associations limited in membership to classroom teachers may be exempt from such determination.
- b. The right to vote and to hold elective or appointive position shall be limited to Active members except as otherwise provided.
- c. All members shall be eligible to receive special services, assistance in the protection of professional and civil rights, and reports and publications of the Association in accordance with the policies and procedures of the Association.
- d. An individual who is a member of a negotiating team representing a school board or representing a board of trustees of a higher education institution shall be denied membership if such denial is requested by a governing body of an Association affiliate in the school district or higher education institution in question. The Executive Committee shall adopt rules for implementing this Bylaw.

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- e. An individual who is expelled or suspended by a local or state affiliate for violation of the affiliate's code of ethics or other sufficient cause shall be expelled or suspended, as may be appropriate, by the Association, unless he or she was expelled or suspended by the affiliate without being accorded due process or for conduct in support of a goal, objective, or written policy of the Association.
- f. Active Life members at the time of adoption of this document by the Representative Assembly shall continue to hold Active membership for life; Associate Life members shall continue to hold Associate membership for life. A past president of the Association shall hold Active membership for life. If the employment status of a past president does not meet the requirements of Bylaw 2-1.b, the education position of said individual shall be category 2.
- g. Any member, other than a Life member, whose profession or occupational position changes shall be transferred to the class of membership applicable to the new position; the member shall not remain in a class of membership for which the member is no longer eligible.
- h. Membership shall be continuous unless terminated for sufficient cause, including but not limited to the unjust use of administrative authority to break a strike, to lock out, to reduce in force, to fire, or to harass an NEA member. Sufficient cause, including "unjust use," shall be decided by the Review Board on a case-by-case basis.
- i. Members who fail to adhere to any of the conditions of membership as stated in Article II of the Constitution shall be subject to censure, suspension, or expulsion.

NEA BYLAWS: ARTICLE 8 — AFFILIATES AND SPECIAL INTEREST GROUPS

8-1. Affiliates.

- a. Affiliates of the Association shall be chartered by a majority vote of the Executive Committee.
- b. Each affiliate shall conduct elections with open nominations and a secret ballot, except as may otherwise be provided in the Constitution, these Bylaws, or the Standing Rules. A secret ballot shall not be required in elections in which the number of candidates nominated does not exceed the number of positions to be filled.

8-3. Governance Affiliates.

- a. A local affiliate, the basic unit of self-governance within the Association, may be organized in a manner which comprises any compatible group, meeting at least the minimum standards of affiliation.
- b. An organization shall not be eligible for Association affiliation as a dual-national local affiliate unless:
 - (1) The organization is from a jurisdiction:
 - i. which, by operation of law, has been created by combining, in whole or in part, other jurisdictions in which both Association and American Federation of Teachers local affiliates had representational status; or
 - ii. in which the Association membership and the American Federation of Teachers membership were relatively equal (i.e., neither organization had more than sixty (60) percent of the combined membership); or
 - iii. in which, during the preceding six (6) years, both the Association local affiliate and the American Federation of Teachers local affiliate had been officially recognized as the employee representative; or
 - iv. in a state in which there is a dual-national state affiliate; and
 - (2) The creation of the organization has been approved by at least a two-thirds (2/3) vote of the board of directors (or equivalent governing body) of the relevant state affiliate and by at least a two-thirds (2/3) vote of the board of directors (or equivalent governing body) of any preexisting local affiliate of the Association that was a predecessor of the organization seeking to be a dual-national local affiliate.
- c. A state affiliate shall be the association within each state or commonwealth and the associations representing the District of Columbia, Puerto Rico, the Federal Education Association, and such other comparable associations that meet at least the minimum standards of affiliation.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

8-7. Standards for Local Affiliates.

The Association shall not affiliate a local association, including a dual-national local affiliate, unless it meets the following minimum standards:

- a. Each affiliate shall apply the one-person–one-vote principle for representation on its governing bodies except that (i) the affiliate shall take such steps as are legally permissible to achieve ethnic-minority representation at least proportionate to its ethnic-minority membership and (ii) the affiliate may adopt a provision in its governing documents that would permit that local to allocate a minimum of one (1) representative or delegate to members at each work site of a school district or higher education institution within the jurisdiction of the affiliate.

Where an all-inclusive affiliate exists, it shall provide proportionate representation between its nonsupervisor members and its supervisor members;

- b. The affiliate shall conduct all elections with open nominations and a secret ballot.
- c. The affiliate shall require membership in the Association and in its state affiliate where eligible.

If an affiliate enrolls education support professionals in any membership category and as a matter of policy seeks to recruit and represent such members, the affiliate (i) shall grant them full rights of participation and (ii) shall require them to be members of the Association and its state affiliate where eligible;
- d. The affiliate is comprised predominantly of persons who are eligible for active membership (or the equivalently designated membership category) in the state affiliate, unless the state affiliate by action of its board of directors (or equivalent governing body) approves such affiliation. This requirement shall not apply to any local association that was an affiliate of the Association as of the effective date of this amendment.
- e. The affiliate shall be reviewed by the Association to determine compliance with minimum standards for affiliation at least once every five (5) years;
- f. The affiliate shall have the same membership year as that of the Association;
- g. The affiliate shall guarantee that no member of said affiliate may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate appellate procedure; and
- h. The affiliate shall deny membership to an individual while said individual is denied membership in the Association pursuant to Bylaw 2-3.d.

8-9. Local Affiliation by State.

A local association meeting the requirements for affiliation stipulated in the governing documents of the Association and of the state affiliate shall be granted affiliate status by the appropriate state affiliate.

8-17. Charter for Affiliation.

- a. The Association shall charter no more than one (1) local affiliate within the same jurisdictional boundaries, with the exception that local affiliates not competing for the same category of membership may be chartered. Where two (2) or more local affiliates of the same category of membership qualify for affiliation in the same jurisdictional boundaries, the Association shall charter the prospective local affiliate with the greater number of active members.
- b. The Association shall charter no more than one (1) state affiliate within the same jurisdictional boundaries. The Association and/or any successor organization shall not revoke the charter of, or take any other action against, an existing state affiliate for failure to merge or otherwise form a unified single state organization with an organization affiliated with the American Federation of Teachers (AFT) and/or the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

Template “A” — For chapters not using a representative body.

BYLAWS

Association/CTA/NEA

I. NAME AND LOCATION

The official name of this Association shall be the _____
Association/CTA/NEA in _____ County.

II. PURPOSES

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

III. AFFILIATION WITH CTA/NEA

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

IV. MEMBERSHIP

- A. The primary category of membership shall be Active members.³
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of _____ district(s), and whose primary assignment is such as not to hold evaluative 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 Association/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. Active members shall adhere to The Code of Ethics of the Education Profession.⁴

³ If it is necessary to meet local needs, see page 12 for additional membership categories.

⁴ Code of Ethics of the Education Profession can be found in the CTA Organizational Handbook.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

- G. 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.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.⁵
- J. 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 operation 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 active membership 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. 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 this Association shall consist of the Active members of the Association.
- B. The Association shall meet a minimum of ____ times a year; the time and place of such meetings to be decided by the Executive Board.
- C. Special meetings of the Association may be called by the President or by petition containing the signatures of twenty percent (20%) of the Active membership.
- D. Special meetings of the Association shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- E. Notices and agendas for all meetings shall be posted in the building(s) at least two days prior to the date of the meeting.
- F. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of the meeting dates, places, and times.
- G. General Membership meetings may be held in an electronic format, such as a webinar, only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.
- H. The budget of the Association shall be adopted by the Active membership on or before the first regular meeting of the school year.
- I. Grievance procedures shall be approved by the Active membership.
- J. A quorum for all meetings of the Association shall consist of a majority of all Active members.

⁵ Conforms with CTA and NEA's membership year.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

VII. OFFICERS

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer⁶.
- 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 terms 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. These officers shall be elected for a term of _____ year(s), commencing on _____ of any calendar year.⁷
- E. 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 Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special meeting of the Association shall be called to elect a successor.
- 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 and the Executive Board;
- 2. Prepare the agenda for the meetings of the Association 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 with the approval of the Executive Board at the beginning of each school year;
- 6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board at the beginning of each school year;
- 7. Call meetings of the Association and the Executive Board;
- 8. Propose the procedures for grievance processing for ratification by the Executive Board and the Active membership of the Association;
- 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 membership.

G. 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; and
- 4. Serve as coordinator of committee activities at the direction 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 and the Executive Board;
- 2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members;
- 3. Maintain an accurate roster of the membership of the Association and of all committees; and

⁶Some chapters may prefer to have both a Secretary and a Treasurer; some may prefer a Secretary/Treasurer or some may prefer a Vice-President/Treasurer and a Secretary. If so, change: Articles VII-A; E; G; H, and I appropriately.

⁷ If terms are longer than a year or multiple year terms, detail which offices are elected in even or odd-numbered years.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

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. Provide a written report on the financial status of the Association at each Association and at each Executive Board meeting;
 4. Be responsible for an annual audit of the books of the Association and distribute a summary of this audit to the membership; and
 5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

VIII. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers of the Association.⁸
- 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 to and service in this position.
- C. The Executive Board shall meet prior to each regular meeting of the Association 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, to conduct the business of the Association between meetings of the Active members of the Association.
- D. The duties and responsibilities of the Executive Board are:
 1. Coordinate the activities of the Association;
 2. Recommend a budget for the Association to the membership;
 3. Direct the bargaining activities of the Association, subject to the policies established by the Active membership;
 4. Approve by majority vote all appointment and removal of committee, members, including chairpersons;
 5. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
 6. Adopt grievance procedure;
 7. Direct the grievance activities of the Association;
 8. Adopt the local Standing Rules for the Association; and
 9. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Active members of the Association.
- E. A quorum for meetings of the Executive Board consists of a majority of the elected members of that body.

⁸ If the chapter wants to include others, please detail the positions and their respective constituencies. If all are elected by the members at-large, then "one person – one vote" is met. If they are elected by the constituencies, then each seat must be proportional to the number of members represented. For example, a chapter with 300 elementary school members electing two (2) elementary level representatives and 150 middle school members electing one (1) middle level representative would meet "one person – one vote." If you have members at-large, then add the following language under section A;

1. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
2. The at-large members of the Executive Board shall be elected for a term of ____ year(s), commencing on _____ of any calendar year.
3. 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, a special election to fill the vacancy shall be held within thirty days.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

IX. BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates
- D. The Executive Board, by a two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the active membership.
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands. The Association members shall approve the contract articles to be bargained.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the Active members of the Association.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

X. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt with the approval of the Active members of the Association 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.

XI. 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 all Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held.⁹

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. The duties of the Elections Committee shall be to:
 - 1. Ensure that all Association/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

⁹ Except for NEA-RA Local Delegate 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.

The following is sample language for the provision for chapters utilizing the option to waive the ballot: *The association may waive the ballot and the candidates declared elected if, following a period of open nominations, the number of candidates is equal or less than the number of delegate positions to be filled. N.B.* This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

6. Handle initial challenges.

B. 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.

C. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or service center council has been notified to do so by the CTA Elections and Credentials Committee.

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

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

XII. COMMITTEES

A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the general Active membership.

B. Each committee shall submit periodic reports to the Executive Board and the general Active membership.

XIII. PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly-revised, latest edition, shall be followed at all meetings of the Association.

XIV. AMENDMENTS

These Bylaws may be amended by a two-thirds (2/3) vote of the Active members at any regular or special meeting of the Association provided notice in writing of a proposed bylaw amendment shall have been submitted to the Secretary (Secretary-Treasurer) and made available to all Active members at the meeting preceding the one at which it is to be voted upon.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

**Template “B” —
For chapters using a representative body.**

BYLAWS

_____ **Association/CTA/NEA**

I. NAME AND LOCATION

The official name of this Association shall be the _____
Association/CTA/NEA in _____ 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 members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To promote cooperation and communication between education support professionals and certificated educators;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

III. AFFILIATION WITH CTA/NEA

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

IV. MEMBERSHIP

- A. The primary category of membership shall be Active members.¹⁰
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of _____ district(s), and whose primary assignment is such as not to hold evaluative 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 Association/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.

¹⁰ If it is necessary to meet local needs, see page 12 for additional membership categories.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

- E. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.¹¹
- G. 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.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.¹²
- J. 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 operation 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 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. 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 Active members of the Association, derives its powers from and shall be responsible to the Active membership.
- B. The Representative Council shall be composed of the following Active members: ¹³
 - 1. Voting members of the Executive Board;
 - 2. Representatives elected on the basis of one-person one-vote;
- 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.

¹¹ Code of Ethics of the Education Profession can be found in the CTA Organizational Handbook.

¹² Conforms with CTA and NEA's membership year.

¹³ If additional members serve on the Representative Council, see pg. 2, items 14 and 15.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

- D. The Representative Council shall schedule meetings monthly during the school year. 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 Active membership.
- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- I. Representative Council meetings may be held in an electronic format, such as a webinar, only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.
- J. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

VII. REPRESENTATIVES

- A. Representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.¹⁴
- B. Representatives shall serve a term of ____ year(s).
- C. Each faculty, site or site unit shall be entitled to at least one representative and shall have one representative for each ____ Active members on the staff, or major fraction thereof.
- D. Active members who are not represented through an individual school group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.¹⁵
- E. Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Representatives shall:
 - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty/site unit;
 - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members;
 - 3. Represent the views and input of the Active membership in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
 - 4. Perform such additional duties as prescribed by the Executive Board.
- G. A Representative shall not conduct an election in which he/she is a candidate.

VIII. OFFICERS

- A. The officers of the Association shall be a President, a Vice- President, a 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 terms of office.

¹⁴ An election for school site representatives may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled.

¹⁵ Where school district organizational structure does not make a single grouping convenient, then adapt to two or more groups, as your local situation requires. Note: For Higher Education chapters – adapt as your needs require, e.g., Dept. Reps., et al.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

- 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 _____ year(s), commencing on _____ of any calendar year.¹⁶
- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
- 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 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, CTA, and NEA;
- 5. Appoint all chairpersons and members of committees with the approval of the Executive Board at the beginning of each school year;
- 6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board at the beginning of each school year;
- 7. Call meetings of the Association, Representative Council and the Executive Board;
- 8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
- 9. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
- 10. Attend meetings of the Service Center Council of which the Association is a part; and
- 11. Attend other CTA/NEA meetings as directed by the Representative Council.

G. 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; and
- 4. Serve as coordinator of committee activities at the direction 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 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. Keep an accurate roster of the membership of the Association and of all committees; and
- 4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

¹⁶ If terms are longer than a year or multiple year terms, detail which offices are elected in even or odd numbered years.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

I. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President;
3. Provide a written financial report for each regular meeting of the Representative Council and Executive Board;
4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership; and
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

IX. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers, (and may include members elected at-large from the Active membership, as long as this complies with the “one-person – one-vote” rule).¹⁷
- 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 to and service in this position.
- C. The Executive Board shall meet prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- D. The duties and the responsibilities of the Executive Board are:
 1. Coordinate the activities of the Association;
 2. Act for the Representative Council when school is not in session;
 3. Direct the bargaining activities of the Association, subject to policies established by the Representative 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 Representative Council;
 6. Approve by majority vote all appointment and removal of committee members, including chairpersons;
 7. Adopt the local Standing Rules for the Association;
 8. Adopt grievance procedure;
 9. Direct the grievance activities of 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 that may be imposed by the Representative Council.
- E. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body.

¹⁷ If the chapter wants to include others, please detail the positions and their respective constituencies. If all are elected by the members at-large, then “one person – one vote” is met. If they are elected by the constituencies, then each seat must be proportional to the number of members represented. For example, a chapter with 300 elementary school members electing two (2) elementary level representatives and 150 middle school members electing one (1) middle level representative would meet “one person – one vote.”
If you have members at-large, then add the following language under Section A;

1. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
2. The at-large members of the Executive Board shall be elected for a term of ____ year(s), commencing on _____ of any calendar year.
3. 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, a special election to fill the vacancy shall be held within thirty days.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

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 twenty percent (20%) 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 two days before 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. General Membership meetings may be held in an electronic format, such as a webinar, only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.
- E. A quorum for meetings of the Association shall be ____ percentage of the Active membership.

XI. BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the Representative Council.
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands. The Representative Council shall approve the contract articles to be bargained.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

XII. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt, with the approval of the Representative 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(s) in processing grievances;
 - 2. Training for handling grievances; and
 - 3. Evaluation of the Association's grievance policies and procedures.

REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

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 all Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held.¹⁸

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. The duties of the Elections Committee shall be to:
 - 1. Ensure that all Association/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.
- B. 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.
- C. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or Service Center Council has been notified to do so by the CTA Elections and Credentials Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA/NEA rules.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.

XIV. COMMITTEES

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

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

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 (Secretary-Treasurer) and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

¹⁸ Except for NEA-RA Local Delegate and local 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.

The following is sample language for the provision for chapters utilizing the option to waive the ballot: *The association may waive the ballot and the candidates declared elected if, following a period of open nominations, the number of candidates is equal or less than the number of delegate positions to be filled. N.B.* This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.