

BYLAWS

Long Beach /CTA/NEA

I. NAME AND LOCATION

The official name of this Association shall be the Teachers Association of Long Beach/CTA/NEA in Los Angeles County by written Articles of Incorporation.

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;
- H. To foster good fellowship among members; and
- I. To promote political and legislative activities related to public education service and benefits.

III. AFFILIATION WITH CTA/NEA

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

IV. MEMBERSHIP

A. Categories of Membership. There shall be two classes of membership in the Association: Active and Associate.

B. 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:

- 1. Membership in the Association is not transferable.
- 2. No member shall be permitted to remain in a category of membership for which s/he is no longer qualified.
- 3. 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.

4. 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; and
5. 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.

C. Description of Categories and Authorization for Enrollment

1. **Active.** Active membership shall be open to any person engaged in, or who is on a limited leave of absence from, non-administrative, nonsupervisory 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.
2. **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 given the written approval by the TALB President.

D. Membership Initiation: Membership may be granted upon initiation of payroll deduction or upon payment of annual Teachers Association of Long Beach/CTA/NEA dues.

E. Voting: Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.

F. Conflict of Interest: An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.

G. Code of Ethics: Active members shall adhere to The NEA Code of Ethics of the Education Profession.

H. Prohibition Against Discrimination: 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, disability, creed, or sexual orientation. 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. Member Discipline: No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.

J. Membership Year: The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.

K. Agency Fee Payers: Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

L. Delinquency and Change of Status: Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31st of any calendar year a member

has either not paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and his/her membership shall be terminated.

M. Non-compete: The Association membership categories shall not compete with those of another United Education Profession (UEP) Association within the same employing jurisdiction.

N. Non-Liability of Members: No member of this Association shall be personally liable for the debts, liabilities, or obligations of the Association.

O. Property Rights: No individual member shall attain rights to any property of TALB/CTA/NEA as a result of membership, or as an officer of the 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 or organizational security 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.

E. Special assessment fees beyond normal annual dues may be levied by a majority vote of the Representative Council following fifteen (15) school days notice to the Active membership. Such fees shall not be assessed for a period to exceed two (2) years without re-approval of the Representative Council.

VI. POLICY-MAKING BODY

A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of 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:

1. Voting members of the Executive Board;
2. Association Representatives elected on the basis of one-person one-vote.
3. Alternates elected at school sites during regular association representative elections when the elected Association Representative has given notice to the Executive Board of non-attendance prior to the beginning of the Representative Council meeting. Each Alternate acting in place of an absent elected Association Representative will be entitled to vote during the Representative Council meeting.

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.
 - a. Approve the establishment or discontinuance of task forces recommended by the Executive Board;
4. Establish the dues of the Association; and
5. Sustain or reject the Political Action Committee's recommendation or opposition to candidates or issues in local elections.

D. The Representative Council shall meet at least once during each school month of the traditional school year. The number, place and time of meetings will 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. The Representative Council shall have the authority to adopt and to change its own agenda but may not take action on items not previously sent out to the members of the Representative Council.

H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.

I. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

J. Members of the Representative Council shall serve a term of one year.

K. Non-voting members shall not be entitled to make motions or vote and shall not be included in the determination of a quorum.

L. Any Active member shall be entitled to be a non-voting member of the Representative Council.

M. The election of Association Representatives shall take place in the Spring Semester prior to June 1st with the term of office beginning the third Monday of June.

VII. ASSOCIATION REPRESENTATIVES:

A. Association representatives and Alternates shall be elected by and from the Active membership for each faculty school site group. Such election shall be by open nominations and by secret ballot.

B. The active members at each school site shall be entitled to elect at least one representative and shall be entitled to have one representative for each fifteen (15) Active members on the faculty, or major fraction thereof based on the membership at the time of the Spring Semester election or in the case of new sites the site composition at the time of the election by the active membership at the site.

C. Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.

D. Association Representatives shall:

1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the school site;
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 of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose;
4. Represent members in the initial grievance processes;
5. Attend Representative Council meetings;
6. Perform such additional duties as prescribed by the Executive Board.

E. 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.

F. An Association Representative may not handle ballots for an election in which he/she is a candidate.

VIII. OFFICERS

A. The officers of the Association shall be a President, Vice-President, a Secretary, and a Treasurer. Other Executive Board members shall be elected from the Active membership, as long as this complies with the "one-person – one vote" rule to include: Elementary Area Directors, Secondary Area Directors, one Director from the Child Development/Head Start Centers, one Minority-at-large Director (filled by an elected member of a racial/ethnic minority in the category of American Indian/Alaska Native, Asian/Pacific Islander, African American or Hispanic).

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. Officers shall be elected for two year terms, commencing on the third Monday in June of the calendar year in which they are elected as specified herein.

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. PRESIDENT: The President shall be the chief executive officer of the Association and its policy leader. The President shall be elected in the Annual General Election in odd numbered years and shall serve for a term of two (2) years. The term shall begin on the third Monday of June of the odd year in which he/she is elected. The President is eligible for reelection but no person may serve as President for more than two (2) consecutive terms without a break in service of at least one (1) term. 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 or delegate an alternate to attend meetings of the Service Center Council of which the Association is a part, the District School Board meetings and other District or Community meetings as appropriate to strengthen and maintain connections with the community;
11. Attend other CTA/NEA meetings as directed by the Representative Council or Executive Board;
12. Be the chief executive officer of the Association and its policy leader. Coordinate with the Executive Director the activities of the Association;
13. Shall vote to break a tie on any question before the Executive Board and serve as the ex-officio, non-voting member of any standing committee;
14. Sign, with prior approval of the Executive Board in the name of the Association, such deeds, mortgages, bonds, contracts, checks, or other instruments which may from time to time be authorized by the Executive Board;
15. Sign, with prior approval of the Executive Board, all Memorandums of Understanding (MOU) between the District and the Association;
16. Provide association representation for all bargaining unit members, assist site representatives, regularly visit unit members at every site within the District and schedule visitations to sites providing for at least one per year by each officer, director or a staff member of the Association;
17. Regularly report accomplishments and status of current issues to the Executive Board and the Representative Council;
18. Submit an annual report of the Association activities at the last regularly scheduled meeting of the Association Representative Council; and
19. The new or continuing President may call the new Executive Board together prior to closing of school, or of taking office, for purposes of ratifying the committee chairpersons and planning for the coming year. No action on any motion affecting current administration may be taken prior to the third Monday of June.

G. VICE-PRESIDENT: The Vice President shall be elected in the Annual General Election in odd numbered years for a term of two (2) year service. The term shall begin on the third Monday in June of the odd year in which he/she is elected. The Vice President is eligible for reelection without restriction on terms. 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. SECRETARY: The Secretary shall be elected in the Annual General Election in even numbered years for a term of two (2) year service. The term shall begin on the third Monday in June of the even year in which he/she is elected. The Secretary is eligible for reelection without restriction on terms. 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 at the principal office of the Association with the name and address of each member, and, in any case where membership has been terminated he/she shall record such fact as well as the date in which the membership ceased; and
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

I. TREASURER: The Treasurer shall be elected in the Annual General Election in even numbered years for a term of two (2) year service. The term shall begin the third Monday in June of the even year in which he/she is elected. The Treasurer is eligible for re-election without a restriction on terms. 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 or as directed by the Executive Board taking proper vouchers for such disbursements;
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;
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law;
6. Have charge and custody of, and be responsible for all securities of the Association, and deposit all such securities in the name of the Association in such banks, trust companies, or other depositories as shall be selected by the Executive Board;
7. Keep and maintain adequate and correct accounts of the Association's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, and losses;
8. Render to the President and Executive Board, whenever he/she or they request it, an account of any or all of his/her transactions as Treasurer and of the financial condition of the Association; and
9. Chair the Finance Committee.

IX. Executive Board The Executive Board shall be composed of the elected officers as well as six (6) Elementary Directors elected by area, six (6) Secondary Directors elected by area and two (2) Special Area Directors elected at large. These fourteen area (14) Directors represent areas

determined by the Association Executive Board and are approved by the Representative Council, provided this complies with the "one-person-one-vote" rule. Each of the 12 directorial areas shall be entitled to have one representative for each four hundred (400) Active members working in the area, and/or major fraction thereof, based on the membership at the time of the Spring Semester election. The Special Area directors consist of one Director from the Child Development/Head Start centers and one at large Minority Director filled by an elected member of a racial/ethnic minority in the category of American Indian/Alaska Native, Asian/Pacific Islander, African American or Hispanic.

- A. All Special Area and Area Directors are elected at the Annual General Election for two years without restriction on the number of terms. The Area Directors shall be elected for a staggered two (2) year term so that one-half such Area Directors take office on the third Monday of June of each year. Such Area Directors shall provide representation and leadership for the members in their Area and shall call and conduct meetings in their area as needed.
- 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 at-large Special Area Directors and Area Directors of the Executive Board shall be elected with open nominations and by secret ballot.
- D. The Special Area Directors of the Executive Board shall be elected for a term of 2 year(s), commencing on the third Monday in June of any calendar year. The Minority-at-Large Director shall be elected in even numbered years. The CDC/Headstart Director shall be elected in odd numbered years.
- E. Vacancies in the position of 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 school days.
- F. Executive Board members accepting voluntary transfers causing a change of areas shall surrender their office. Within eight (8) weeks, the area members shall elect a new Area Director. The interim period shall be filled by a Presidential appointment, if needed. Area Directors who have been involuntarily transferred may complete their term of office.
- G. 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. Special meetings may be called within two (2) school days' notice by the President. For emergency meetings, the President shall notify the Executive Board of meeting dates, places and times. Agendas of all regular meetings shall be circulated to all members of the Executive Board four (4) calendar days prior to each meeting.
- H. A simple majority of the members of the Executive Board shall constitute a quorum. No business shall be considered by the Executive Board at any meeting at which a quorum is not present, and the only motion which the Chair shall entertain at such meeting is a motion to adjourn.

I. The Executive Board members shall not be personally liable for the debts, liabilities, or other obligations of the Association.

J. A vacancy shall be deemed to exist if an officer or Director of the Association cannot serve due to any of the following:

1. Death
2. Resignation
3. Voluntary Transfer
4. Recall
5. Absence from three (3) meetings of the Executive Board or three (3) meetings of the Representative Council during any one membership year. Such absences shall be considered by the Executive Board as a vacation of office and shall require two-thirds (2/3's) of the Executive Board to declare such elected office vacant.
6. A vacancy of elected offices shall be filled by election within (30) school days by an from the constituency except when succession by other elected officers is specified.

K. The duties of the Executive Board:

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 including Memorandum of Understanding (MOU) before they are signed by the President;
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 Finance Committee and the Representative Council;
6. Approve all appointments to committees, including chairpersons;
7. Adopt the Standing Rules for the Association;
8. Adopt grievance procedure;
9. Direct the grievance activities of the Association;
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;
11. Recommend tentative contract agreements between the Association and the Long Beach Unified School District before sending it to the Representative Council;
12. Recommend or not recommend the Political Action Committee's endorsement or opposition to candidates or issues in local, state or national elections;
13. Recommend to the Representative Council any actions regarding dues increases for the Association;
14. Hire and evaluate the Assistant Executive Directors and terminate his/her employment, if necessary, in accordance with his/her employment contract utilizing appropriate due process;
15. Adopt general policies for staff employment and to make general allocations in the Annual Budget for expenses in connection therewith;
16. Within the established policies and budget limitations, the Executive Board shall be the employment authority for all paid staff, and for setting forth contract and/or job description the terms and conditions of employment and compensation;
17. Grant to paid staff the same general rights of due process as the Association seeks to ensure for its own membership. The same nondiscrimination policy shall apply to paid staff as is contained elsewhere within the Bylaws for membership rights;

18. Deliver information from Representative Council to any site not represented at the Representative Council meeting; and
19. Meet at such times and places as required by these Bylaws.
20. Executive Board shall approve Association participation in District Developed Committees when the Association is requested to appoint members to participate.

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 general meetings including date, place, time, and purpose of the meeting shall be made available to all members of the Association at least five (5) school 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; and
- D. A quorum for all meetings of the General Membership shall consist of representation of 20% of 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) majority, 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 establish by the Representative Council. The Executive Board is distinct from the Bargaining Team.
- F. The Bargaining Team shall be under the direction of the Executive Board and shall report its activities to the Executive Board as the Board requires;
- G. The Bargaining Team is empowered to reach tentative agreements with the district subject to ratification by the Active membership;
- H. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s);
- I. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board.

J. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by Active members in that unit;

K. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership; and

L. Agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the Active membership in the appropriate 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.

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.

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;

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 rules.

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

F. 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.

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

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

XVI. AMENDMENTS/PROCEDURES:

- A. The 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.