

CONSTITUTION AND BYLAWS
Santa Maria Joint Union High School District Faculty
Association/CTA/NEA

I. NAME AND LOCATION

The name of this Association shall be the Santa Maria Joint Union High School District Faculty Association/CTA/NEA in Santa Barbara County.

II. PURPOSES

The primary purposes of this Association shall be:

- A. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for teachers;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To provide a means of representation for its ethnic-minority members;
- E. To promote professional attitudes and ethical conduct among members;
- F. To encourage cooperation and communication between the profession and the community; and
- G. To foster good fellowship among members.
- H. To raise the standards of the teaching profession;
- I. To advance the general welfare of the schools;

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III. AFFILIATION WITH THE UNITED EDUCATION PROFESSION (UEP)

- A. The Santa Maria Joint Union High School District Faculty Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Santa Maria Joint Union High School District Faculty Association shall be an affiliated local association of the National Education Association (NEA).

IV. MEMBERSHIP

- A. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional education work, is an employee of Santa Maria Joint Union High School District, and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit. This provision excludes from membership any administrative position i.e. district superintendent, assistant superintendent(s), district personnel director, district curriculum director, high school principals, high school assistant principals, dean of students, district bilingual director, district pupil service director and/or any person who is serving as a representative for a public school employer in negotiations with representatives of certificated employee organizations.
- B. Membership may be granted upon initiation of payroll deduction or upon payment of annual United Education Profession (UEP) dues appropriate to the class of membership.

- C. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- D. Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- E. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.
- 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 without a due process hearing which shall include the established appellate procedure.
- 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.

V. DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative

Council at the last regular meeting of the school year.

- C. Representation fees shall be apportioned on the same percentage basis as the full United Education Profession dues.
- D. 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 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

VI. POLICY-MAKING BODY

- A. The policy-making body of this Association shall be the general membership.
- B. The Association shall meet a minimum of two 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 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. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of meeting dates, places, and times.
- F. A quorum for all meetings of the Association shall consist of at least fifteen (15) members.

G. Unless otherwise provided herein, policy shall be adopted and changed by a simple majority vote of the members voting with each member able to cast only one vote.

H. The budget of the Association shall be adopted by the membership on or before the first regular meeting of the school year.

VII. OFFICERS

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

B. These officers shall be and remain currently paid-up members of the UEP as a condition for nomination to and service in their respective positions during their terms of office.

C. These officers shall be elected by a simple majority vote of the members voting with each member able to cast only one vote; with open nominations; and by secret ballot.

D. Officers shall be elected for a term of two years, commencing on September 1 of any calendar year.

E. The President and the Treasurer shall receive a stipend established by the Executive Board and approved by the membership. The Negotiating Team members will also receive a stipend during the negotiating process.

F. Vacancies of elected officers shall be filled by the following means:

1. If a vacancy occurs in the office of President, the Vice-President shall become President. If less than one year remains in the term of office, the new President shall fill the vacancy in the office of

Vice-President by appointment and ratification by the Executive Board. If more than one year remains in the term of office, a special election shall be held within thirty days to fill the vacancy.

2. In the event of a vacancy occurring in the other elected offices, the vacancy shall be filled by appointment of the President and shall be ratified by the Executive Board.

G. 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 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, and of the bargaining team, with the advice and consent of the Executive Board, except as otherwise stated in these bylaws;
 6. Call meetings of the Executive Board;
 7. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
 8. Attend meetings of the Service Center Council of which the Association is a part; and i. Attend other CTA/NEA meetings as directed by the membership; and
 9. Shall co-sign with the Treasurer all checks drawn upon the treasury.
- H. The Vice-President shall:
1. Serve as assistant to the President in all duties of the President;

2. Assume the duties of the President in the absence of the President;
3. Be responsible for the formation and distribution of the Association's calendar of activities.
4. Be ex-officio member of all committees; and
5. Serve as co-chairperson of the Membership Committee.

I. The Recording Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and of the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members; and
3. Prepare ballots for election of officers and such other elections as may be necessary.

J. The Corresponding Secretary Shall:

1. Maintain an accurate roster of the Association membership, accurate list of committees, and personnel;
2. Provide an agenda for each business meeting;
3. Assist as co-chairperson of the Membership Committee; and
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

K. The Treasurer Shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President;
3. Provide a written report on the financial status of the Association at each Association meeting;

4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the members;
5. Maintain an accurate roster of membership of the Association;
6. Prepare a budget; and
7. 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.
- B. The Executive Board shall meet prior to each regular meeting of the Association and at such other times as the President or the simple majority of the Executive Board may deem necessary.
- C. The Executive Board shall:
 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 membership;
 4. Approve all appointments to committees, including chairpersons, other than the election committee;
 5. Serve as an election committee for all elections other than those for officers;
 6. Adopt grievance procedures; and
 7. Direct the grievance activities of the Association.
- D. A quorum for meetings of the Executive Board shall be a majority of the Executive Board.

IX. BARGAINING

- A. The President shall appoint all members and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- B. Members of the Bargaining Team may be removed with a simple majority vote of the Executive Board.
- C. The Bargaining Team shall be under the direction of the Executive Board, and shall report to the Executive Board as the Board requires.
- D. The Bargaining Team is empowered to reach tentative agreements with the district, subject to ratification by the membership.

X. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt Standing Rules setting forth the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
 1. Provide for representation to assist all members of the bargaining unit(s) in processing grievances;
 2. Training for handling grievances; and
 3. Evaluation of the Association's grievance policies and procedures.

XI. COMMITTEES

- A. There shall be the following standing committees; Grievance, Membership, Insurance and Welfare, and Public Relations. These committees are appointed by the President, subject to approval by the Executive Board.

- B. Special committees may be appointed by the president as needed, subject to ratification by the Executive Board.
- C. The Membership Committee shall conduct the annual membership campaign for the local Association, California Teachers Association (CTA), and the National Education Association (NEA). The Membership Committee will work closely with the Treasurer to coordinate activities.
- D. The Insurance and Welfare Committee shall study problems affecting the membership regarding insurance of all kinds.
- E. The Public Relations Committee shall:
 1. Secure advantageous publicity for the activities of the Association;
 2. Maintain and strengthen communications within the Association and between the Association and organized groups in the community;
 3. Interpret interests of the Association and its members and communicate those to the public; and,
 4. Maintain and issue an official publication for the Association, within which shall appear a summary of Chapter activities and such other items as would be of interest to the membership.

XII. NOMINATIONS AND ELECTIONS

- A. There shall be an Elections Committee.
- B. Elections shall be conducted with:
 1. Open nomination procedure
 2. Secret ballot
 3. All member vote
 4. Record of voters receiving or casting ballots
 5. Majority vote, unless otherwise specified.

- C. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- E. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.
- F. The duties of the Elections Committee shall be to:
1. ensure that all chapter/CTA/NEA election codes and timelines are followed
 2. establish election timelines
 3. develop and carry out timelines and procedures
 4. prepare ballots for election of officers and such other elections as may be necessary;
 5. count the ballots and certify the results
 6. handle initial challenges.
 7. keep voted ballots for at least one year after each election.

XIII. PARLIAMENTARY AUTHORITY

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

XIV. AMENDMENTS

These Bylaws may be amended by a two-thirds (2/3) vote of the members voting in a secret ballot election held at each site no sooner than 15 days after dissemination of physical changes.

SEPTEMBER 1998
DATE OF ADOPTION

NOMINATION AND ELECTION STANDING RULES
Santa Maria Joint Union High School District Faculty
Association/CTA/NEA

Elections Committee

1. The Elections Committee shall be composed of at least three members who are not on the Executive Board. Members of the Elections Committee cannot serve on the Executive Board. Members of the Executive Board cannot serve on the Elections Committee.
2. The chair of the Elections Committee shall be appointed by the President.
3. Members of the Elections Committee shall be approved by the Executive Board.
4. A member shall abstain from participation in Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate.

Election Requirements

1. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). Only reasonable qualifications for office such as membership in the chapter may be required.
2. Every member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
4. A member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot. If a roster of members is prepared for a school site ahead of time, initials of the member may be accepted.

5. All elections shall be decided by a majority vote, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the two candidates receiving the highest number of votes.

Announcement

1. The announcement of election shall include the offices, length of terms, and the election timeline.
2. The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy.

Timeline

1. The timeline for the election shall include dates for:
 - A. Time, date, and place where declarations of candidacy are to be received. Literature shall include information that date is receipt date and not postmark date.
 - B. Date for acknowledgment of declarations from candidates.
 - C. Date(s) when voting will take place.
 - D. Date, time and place where ballots will be counted.
 - E. Date(s) that announcement of results will be made to leadership, candidates and members.
 - F. Dates and timelines for run-off election, if necessary.
 - G. Deadline for filing of challenges.

Finances

1. Chapter moneys received through dues, assessment or similar levy shall not be used to promote any candidate.
2. A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.

Candidate's Rights

1. Privileges extended to one candidate shall be extended to all candidates.
2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
3. Each candidate shall have the right of access to a list containing the names and last known addresses of all members.
4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.

Ballot

1. The names of the candidates shall be printed on the ballot in CTA election alphabet order. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.
2. The ballot shall state the name of the office, the term, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.

Distribution of Ballots and Method of Voting

1. Each member shall receive a ballot.
2. Voting shall be by the following method:
 - A. At specified voting site

Counting of Ballots

1. A preliminary count may take place at the voting sites.
2. Upon receipt of ballots, tally sheets and signature sheets, the Elections Committee shall count the ballots in a secure area with only the Elections Committee members and observers present.
3. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
 - A. Blank ballot

- B. More ballots than signatures
 - C. Ballot submitted after deadline
 - D. Voter not a member
 - E. Voter's intent unclear
 - F. Votes cast for more than number allowed
 - G. Vote cast on unofficial ballot
 - H. Vote cast for ineligible candidate.
4. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
 5. The Elections Committee shall prepare the Final Report, recording the following information:
 - A. Total number of ballots cast
 - B. The number of set aside ballots with an explanation for each category of ballot not counted.
 - C. The number needed to win or pass
 - D. The number of votes received by each candidate or issue
 - E. A notation whether the set aside votes would affect the outcome
 - F. Signature of each Elections Committee member present during the preparation of the report.
 6. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
 7. The President shall announce the results as prescribed by the timelines.
 8. If the votes set aside would affect the outcome of the election, the Executive Board shall decide:
 - A. to count the votes which have been set aside
 - B. not to count the votes which have been set aside, or
 - C. if the election should be conducted again.Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.
 9. The ballots and voter sign-up sheets shall be retained for one year after the election.

Observers

- Each candidate shall be allowed to have an observer at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
- An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results.

Challenge Procedure

- Any member observing a violation of election procedures shall notify the chapter President and the chair of the Elections Committee, in writing, within five school days of the announcement of results. The notification must:
 - Specify which requirement has been violated,
 - Include supporting information,
 - List names of parties who can provide information.
- The Elections Committee shall respond within five school days after receipt of the challenge in an effort to resolve the issue. The Committee shall determine whether:
 - The challenge alleges a violation of a chapter election requirement;
 - The challenge is supported by appropriate documentation;
 - The alleged violation may have affected the outcome of the election.

- The Elections Committee shall report to Executive Board on its findings and recommendations within twenty school days.
- The Executive Board shall make a decision on the resolution of the challenge.

The challenging party and all candidates in that race shall be notified of the decision of the Executive Board.

- If the challenging party is not satisfied with the decision, s/he may appeal the decision in writing to the CTA President within twenty school days of receipt of the decision.

Initiative Procedures

- The active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
- A member shall file a notice of the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation.
- The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
- The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 45 school days shall be permitted to obtain the signatures of at least 10 percent or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
- The circulators shall present to the chapter president the petition(s) containing original signatures.
- The chapter president shall have 5 school days in which to verify the membership of the signers of the petition.
- If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional 7 school days in which to gather and submit the necessary signatures. The chapter president shall have 3 school days in which to verify the membership of the additional signers.
- The chapter president shall cause a ballot to be furnished to the members no less than 15 school days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
- Regular election procedures (e.g., election of officers) shall be followed including voting times.
- The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

Referendum Procedures

1. Any action or proposed action of the Executive Board shall be referred to a vote of the membership upon two-thirds vote of the Executive Board at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the membership on the ballot.
3. The chapter president shall cause a ballot to be furnished to the members no less than 15 school days after action by the Executive Board, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

Recall Procedures

1. The active membership shall have the authority to recall from office any person or persons holding such virtue of having been elected thereto by the chapter's active members.
2. A member shall file a notice of the intent to circulate a petition to recall with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding the office of president, the request shall be made to the next ranking officer.
3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 60 school days shall be permitted to obtain the signatures of at least 25 percent or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.

5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have 10 school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional 15 school days in which to gather and submit the necessary signatures. The chapter president shall have 5 school days in which to verify the membership of the additional signers.
8. The chapter president shall cause a ballot to be furnished to the members no less than 20 school days after verification of membership. The period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

SEPTEMBER 1998
DATE OF ADOPTION