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BYLAWS

REVISED AND ADOPTED BY:

**Representative Council
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**BYLAWS OF
THE FOLSOM CORDOVA EDUCATION ASSOCIATION/CTA/NEA**

ARTICLE I

NAME & LOCATION

The name of this Association shall be the FOLSOM CORDOVA EDUCATION ASSOCIATION/CTA/NEA in Sacramento County.

ARTICLE 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 all members;
- 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 for education support professionals.

ARTICLE III

AFFILIATION WITH THE CTA/NEA

- A. The FOLSOM CORDOVA EDUCATION ASSOCIATION shall be a chartered chapter of the CALIFORNIA TEACHERS ASSOCIATION (CTA).
- B. The FOLSOM CORDOVA EDUCATION ASSOCIATION shall be an affiliated local association of the NATIONAL EDUCATION ASSOCIATION (NEA).

ARTICLE IV

MEMBERSHIP

- A. Categories of Membership. There shall be categories of membership in the Association: Active and Associate.
- B. The Active membership class 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 the Folsom Cordova Unified School District, and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the non-management certificated bargaining unit.
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual FCEA/CTA/NEA dues appropriate to the class of membership.
- D. The right to vote and to hold elective office or appointive position within the FCEA shall be limited to Active members.
- E. Active members shall be eligible to vote in all elections, hold office or appointed position, receive special services, to obtain assistance in the protection of professional and civil rights, and to receive reports and publications of the FCEA.
- F. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the FCEA and is not an Active member.
- G. Active members shall adhere to "The Code of Ethics of the Education Profession."
- H. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- I. No member of the FCEA may be disciplined without a due process hearing which shall include the established appellate procedure.

- J. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar, inclusive.
- K. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges with the FCEA

ARTICLE 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 FCEA, the dues of CTA, and the dues of NEA.
- B. The FCEA'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 in May of the school year.
- C. FCEA shall apportion any negotiated representation fees or organizational security fee on the same percentage basis as the FCEA/CTA/NEA 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 31st of any calendar year a member has not either paid the established annual membership dues for the current membership year or made satisfactory arrangements for the payment, then that person's membership shall be considered delinquent and name dropped from the Active rolls. An immediate payroll deduction shall be prorated to cover the dues of the current membership year and that person shall be placed on Fee Payer status.

ARTICLE VI

POLICY-MAKING BODY

- A. The policy-making body of the FCEA shall be a Representative Council. The Representative Council, comprised of Active members of the FCEA 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. Elected Executive Board members have all the rights of a regular elected Council member, including the right to vote.
 - 2. Elected Faculty Representatives on the basis of one-person, one-vote;
 - 3. The following additional representatives:

- a. Committee Chairpersons, ex-officio non-voting
 - b. CTA State Council Representative(s)
 - c. Any member(s) of the FCEA who hold CTA/NEA offices or committee appointments, ex-officio non-voting.
- C. The Representative Council shall:
- 1. Establish FCEA policies and objectives;
 - 2. Consider problems that may be presented to it by the Executive Board, committees, affiliated groups, or members of the FCEA, and report to the members of the FCEA all actions of the Council;
 - 3. Adopt the annual tentative budget of the FCEA on or before the first meeting of the school year;
 - 4. Approve the establishment or discontinuance of committees recommended by the Executive Board;
 - 5. Establish the dues of the FCEA; and
 - 6. Approve all category expenditures in excess of adopted annual budget.
- D. The Representative Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by petition of twenty (20%) percent 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. Agendas, minutes of previous meetings, and the treasurer's report shall be received by all members of the Representative Council at least two days prior to any regular or special meeting 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. The term's starting date shall coincide with the beginning of the current school year.

K. A member may not hold two concurrent elected positions within the FCEA.

ARTICLE VII

FACULTY REPRESENTATIVES

A. Faculty representatives and their alternates shall be elected by and from the Active membership for each faculty group. Such elections shall be open nominations and by secret ballot.

B. Each faculty shall be entitled to at least one representative and shall have one representative for each fifteen (15) FCEA members or major fraction thereof, of members on the faculty. (Ex: 23 members = 2 Reps)

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

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

E. Faculty Representatives shall:

1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty unit;
2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the FCEA and active members;
3. Represent the view 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. Perform such additional duties as prescribed by the Executive Board.

F. A Faculty Representative may not conduct an election in which he/she is a candidate.

ARTICLE VIII

OFFICERS

- A. The officers of the Association shall be a President, Vice President , Secretary and a Treasurer.
- B. The officers shall be and remain currently paid-up members of the FCEA/CTA/NEA 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 a term of two years commencing on July 1 of any calendar year. Terms shall be staggered by year based on office. The terms of President and Secretary shall begin in even numbered years and the terms of Vice President and Treasurer shall begin in odd numbered years. Officers may serve a maximum of three full terms in any single office (plus any part of a partial term if elected to fill a vacancy).
- 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.
 - 1. In the event of a vacancy occurring in the Office of the President, the Vice President shall assume the duties of that office until the vacancy is filled.
 - a. If the vacancy occurs in the Office of President with less than one year remaining to be served in the term, the Vice President shall assume the position and duties of President for the remainder of that term. A Vice President shall then be appointed by the Executive Board and approved by the Representative Council.

Should the Vice President decline to fill the vacancy of the Office of President, that vacancy shall be filled by appointment of the Executive Board and approved by the Representative Council. The appointee shall serve out the remainder of that term of office.
 - b. If a vacancy occurs in the Office of President with more than one year remaining to be served in the term, a special election to fill the vacancy shall be held within forty-five (45) days of the effective date of the vacancy. Should no candidate come forward to run for the opening, the opening shall be filled by appointment of the Executive Board and approved by the Representative Council. The appointee shall serve out the remainder of that term of office.
 - 2. In the event a vacancy occurs in any Executive Board Officer position,

other than President, with less than one year remaining to be served in the term, the opening shall be filled by appointment of the Executive Board and approved by the Representative Council. The appointee shall serve out the remainder of that term of office.

3. In the event a vacancy occurs in any Executive Board Officer position, other than President, with more than one year remaining to be served in the term, a special election to fill the vacancy shall be held within forty-five (45) days of the effective date of the vacancy. Should no candidate come forward to run for the opening, the opening shall be filled by appointment of the Executive Board and approved by the Representative Council. The appointee shall serve out the remainder of that term of office.

F. The **President** shall be the chief executive officer of the FCEA and the policy leader.

The **PRESIDENT** shall:

1. Preside at all meetings of the FCEA, the Representative Council and Executive Board;
2. Prepare the agenda for the meetings of the FCEA, the Representative Council and the Executive Board;
3. Be the official spokesperson for the Association or designate that duty.
4. Appoint all chairpersons and members of committees, with the approval of the Executive Board, by the beginning of each school year;
5. Call meetings of the Association and the Executive Board;
6. Attend or designate a representative to attend Capital Service Center Council meetings;
7. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
8. Attend other CTA/NEA meetings as directed by the Representative Council;
9. Be familiar with the governance documents of the FCEA, CTA, and NEA.
10. Propose procedures for the grievance processing for ratification by the Executive Board and Representative Council.

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 FCEA's calendar of activities;
4. Serve as coordinator of committee activities at the direction of the President.

I. The **SECRETARY** shall:

1. Keep a careful and accurate record of the proceedings of each regular or special meeting, of the FCEA, Representative Council, and Executive Board;
2. Be responsible for distribution of all notices, agendas, and minutes of 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;
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

J. The **TREASURER** shall:

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

ARTICLE IX

EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers and six (6) members elected at large from the membership as long as this complies with the “one-person – one-vote” rule.
1. President
 2. Vice President
 3. Secretary
 4. Treasurer
 5. CTA State Council Representative(s) (Non-voting if also a FCEA Officer)
 6. Kindergarten through 3rd Grade Member At Large
 7. 4th through 6th Grade Member At Large (Elementary)
 8. 6th through 8th Grade Member At Large (Middle)
 9. 9th through 12th Grade Member At Large
 10. Special Services Member At Large
 11. Human Rights Representative - elected at large from the membership.
 12. Executive Director (non-voting)
 13. Committee Chairs for all active committees (non-voting)
 14. Past President (ex-officio, non-voting)
- B. All the members of the Executive Board, shall be and remain members of the FCEA/CTA/NEA as a condition for nomination to and service in this position.
- C. The At Large members of the Executive Board shall be elected with open nominations and by secret ballot.
- D. At Large members (MAL) and the Human Rights Representative of the Executive Board shall be elected for a term of two years commencing on July 1 of the year they are elected. The terms of K3 MAL, 6-8 MAL, and Special Services Mal shall begin in even numbered years and the terms of 4-6 MAL, 9-12 MAL, and Human Rights Representative shall begin in odd numbered years.
- E. Executive Board members who fail to attend two consecutive Executive Board and/or Rep Council meetings without prior approval by the FCEA President will be removed from office.
- F. 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.
1. If the vacancy occurs in this position with less than one year remaining to be served in the term, the opening shall be filled by appointment of the Executive Board and approved by the Representative Council. The appointee shall serve out the remainder of that term of office.

2. If a vacancy occurs in the position with more than one year remaining to be served in the term, a special election to fill the vacancy shall be held within forty-five (45) days of the effective date of the vacancy. Should no candidate come forward to run for the opening, the opening shall be filled by appointment of the Executive Board and approved by the Representative Council. The appointee shall serve out the remainder of that 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.
- H. The duties of the Executive Board shall be to:
1. Coordinate the activities of the FCEA;
 2. The Executive Board shall be empowered to act for the Representative Council when the council would be unable to meet in either regular or special session;
 3. Approve appointment and removal of bargaining team and committee members;
 4. Direct the bargaining activities and grievance process of the FCEA, subject to policies set by the Representative Council;
 5. Recommend the FCEA tentative budget prior to submission to the Representative Council;
 6. Approve all non-budgeted expenditures in excess of \$100;
 7. Adopt the Standing Rules for the Association, and Committees;
 8. Employ all office staff;
 9. Employ an Executive Director who shall, under the direction of the Executive Board and/or its agent the President, act as liaison with the District Administration, other employee organizations, and community groups to provide continuity for the total FCEA program;
 10. The Executive Board shall be responsible for establishing written criteria for and the periodic evaluation of the Executive Director;
 11. Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these Bylaws, subject to any restrictions

which may be imposed by the Representative Council.

- J. A quorum for all meetings of the Executive Board shall consist of fifty (50%) plus one of the members of the Executive Board.

ARTICLE X

BARGAINING TEAM

- A. The Bargaining Team and such alternates as the Executive Board deems necessary shall be nominated by the President, recommended by the Executive Board and approved by the Rep Council.
- B. The chairperson of the Team shall be appointed by the President, subject to approval of the Executive Board.
- C. The Executive Board and Representative Council shall adopt Standing Rules setting forth its selection procedures for bargaining team members, including terms of office and criteria for appointment.
- D. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- E. The Executive Board, by a two-thirds (2/3) majority, may remove a member of the Bargaining Team and appoint a replacement from the list of alternates.
- F. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s). They also “meet and confer” with the District in a policy advisory capacity.
- G. Responsibility and authority for directing the negotiating process on behalf of the FCEA is vested in the Executive Board subject to policies established by the membership.
- H. All FCEA members shall be surveyed to determine contents of the proposed contract demands, and the contract proposal shall be approved by the FCEA through their Faculty Representatives at the FCEA Representative Council.
- I. The Bargaining Team shall report its activities to the Executive Board and Representative Council in such form and with such frequency as Executive Board and Representative Council may require.
- J. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- K. Agreements reached between the Bargaining Team and the School Board or its representatives shall be considered tentative and not binding upon the FCEA

until such agreements have been ratified by the membership in the appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that membership.

- L. Ratification requires approval of a fifty-five (55) percent majority of votes cast by members.
- M. 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.
- N. The Bargaining Team is empowered to reach tentative agreements with the district subject to ratification by the active membership.

ARTICLE XI

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;

ARTICLE XII

NOMINATIONS AND ELECTIONS

The FCEA President must provide active members an opportunity to vote in all elections.

FCEA Presidents do not have the option of deciding that such elections shall not be held 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.

- A. There shall be an appointed Elections Committee
- 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;
 5. Majority vote, unless otherwise specified.
- C. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter 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 FCEA/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 results;
 6. Handle initial challenges.
- G. The Executive Board shall adopt Standing Rules setting forth the procedures for conducting elections as they appear in the CTA Guidelines for Chapter Governance Documents.

ARTICLE XIII

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.

ARTICLE XIV

MEETINGS OF THE GENERAL MEMBERSHIP

- A. Meetings of the FCEA may be called by the President, the Executive Board, or by written petition of twenty (20%) percent of the Active membership.
- B. Notices of the FCEA meetings, including date, place, time, and purpose of the meeting shall be made available to all members of the FCEA at least two days prior to the meeting except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board shall establish procedures to notify the FCEA membership of meetings dates, places and times.

ARTICLE XV

PARLIAMENTARY AUTHORITY

- A. Robert's Rules of Order, The Modern Edition, latest edition, shall be followed at all meetings of the Association, the Representative Council, and the Executive Board. (Note: Robert's Rules voting procedures are used at meetings. FCEA/CTA/NEA elections follow the Bylaws and Standing Rules.)

ARTICLE XVI

AMENDMENTS

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