

**MASTER COPY WITH ALL ADDITIONS AND DELETIONS
INDICATED**

**BYLAWS
BANNING TEACHERS' ASSOCIATION**

CTA/NEA
RIVERSIDE COUNTY
~~deletions in strikethrough.~~

**All approved changes indicated with footnote linked to Representative Council
minutes by date of approval.**

- I. Name
The name of this Association shall be the Banning Teachers' Association (BTA).

- II. Purposes
The primary purposes of this Association shall be:
 - A. To represent its members in their relations with their employer, and to be the exclusive representative of appropriate groups of school employees in all matters relating to employer-employee relations including, but not limited to, wages, hours, and others terms and conditions of employment;
 - B. To form a representative body capable of developing group opinion on professional matters to speak with authority for unit members;
 - C. To provide an opportunity for continuous study and action on problems of the profession;
 - D. To promote profession attitudes and ethical conduct among members;
 - E. To encourage cooperation and communication between the professional and the community, and
 - F. To foster good fellowship among members.

- III. Affiliation With the United Teaching Profession (UTP)
 - A. BTA shall be a chartered chapter of the California Teachers Association (CTA).
 - B. BTA shall be an affiliated local association of the National Education Association (NEA).

- IV. Membership
 - A. Active membership shall be open to any certificated person employed by the Banning Unified School District (BUSD) who is engaged in, or who is on limited leave of absence from, professional educational work 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 teachers bargaining unit.

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- B. Membership may be granted upon payment of annual UTP dues appropriate to the membership (United Teaching dues are those dues paid to the state, local, and national organizations.)
- C. The right to vote in elections and to hold elective office or appointive position shall be limited to active members within the Association.
- D. Active members shall adhere to The Code of Ethics of the Education Profession.
- E. The rights to and privileges of membership shall not be abridged in any way because of age, sex, marital status, race, ethnic group, creed, color, national origin, or sexual orientation.
- F. The membership year shall be that period of time from September 1 to August 31 of any given academic year.

V. Dues

- 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 expense 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 UTP dues.
- D. Any employee of BUSD who is eligible for membership in the BTA shall join the association or comply with the Fair Share provisions of the Agreement between the BTA and BUSD.
- E. 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 academic year, a member has not paid the established annual membership dues for the current membership year, that person's membership shall be considered delinquent.

VI. Policy Making Body

- A. The policy making body of the Association shall be the Representative Council. The Representative Council, comprising members of the Association, derives its powers from and shall be responsible to the membership.
- B. The Representative Council shall be composed of the following active members:
 - 1. Elected officers;
 - 2. Faculty Representatives;
 - 3. Committee Chairpersons, ex-officio non-voting;

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4. CTA State Council Representatives, if any;
5. Any member of the Association who hold CTA/NEA offices of committee appointments, ex-officio non-voting.
- C. The Representative Council Shall:
 1. Establish Association policies and objectives;
 2. Adopt the budget of the Association on or before the first meeting of the school year;
 3. Approve the establishment or discontinuance of committees recommended by the Executive Board; and;
 4. Establish the dues of the Association.
- D. The Representative Council shall meet at least once during each school month; the number, place, and time of meetings to be decided by the council.
- E. Special meetings of the Representative Council may be called by the President or by the petition of 20% of the membership.
- F. Special meeting 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 Council at least two 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 the 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 two (2) years.

VII. Officers

- A. The officers of the Association shall be President, Vice-President, Secretary, and Treasurer.
- B. These officers shall be and remain currently paid up members of the UTP as a condition for nomination to and service in their respective positions during their term of office.
- C. Candidates for the office of President and Vice-President shall have served as members of the Representative Council within the previous four years preceding their election to office.
- D. The Officers shall be elected with open nomination and by secret ballot.
- E. The President and other officers shall be elected for a term of two years beginning June 1 of a calendar year.
- F. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association.

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1. In the event of a vacancy occurring in the office of the President, the Vice-President shall assume the office.
 2. In the event a vacancy occurs in the offices, the Representative Council shall elect successors to fill the unexpired terms at the next regularly scheduled meeting.
- 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 The Representation Council and Executive Board;
 2. Prepare the agenda for the meetings of the Association and the Representative Council and Executive Board;
 3. Be the official spokesman for the Association;
 4. Be familiar with the governance documents of the Association, the CTA and the NEA;
 5. Recommends all chairpersons and members of committees with the approval of the Representative Council;
 6. Co-sign all checks, with Treasurer or the Vice-President, drawn upon the treasury;
 7. Call meetings of the Association;
 8. Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association;
 9. Attend meetings of the Service Center Council of which the Association is a part, and
 10. Attend other CTA/NEA meetings as he/she may be directed by the 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 information and distribution of the Association's calendar of activities;
 4. Serve as coordinator of committee activities at the direction of the President and,
 5. Serve as coordinator of association membership.
- I. The Secretary shall:
1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and the Council and the Executive Board;
 2. Be responsible for the distribution of all notices, agendas, and minutes of meetings to members of

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the Representative Council and to the membership when appropriate;

3. Carry on all correspondence pertaining to the affairs of the Association as directed by the President, and
4. Keep an accurate roster of all committee members.

J. The Treasurer shall:

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

~~K. The Past President shall:~~

- ~~1. Become the ensuing Parliamentarian, and~~
- ~~2. Serve as a voting Executive Board member.¹~~

VIII. Executive Board

- A. The Executive Board shall be composed of the officers ~~and Past President.~~¹
- B. All members of the Executive Board shall be and remain members of the UTP as a condition for nomination to, and service in their position.
- C. At Large member of the Executive Board shall be elected with open nominations and by secret ballots when the Executive Board has an even number of members.
- D. The Executive Board may meet before each regular meeting of the Representative Council and at such times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- E. 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 and grievance processes of the Association, subject to policies set by the Representative Council;
 4. Appoint and remove bargaining team members;

¹ Approved at the BTA Representative Council Meeting of April 5, 2011.

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5. Recommend a budget for the Association to the Representative Council;
 6. Approve Committee appointments;
 7. Adopt the Standing Rules of the Association, and
 8. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these Bylaws, subject to any relations that may be imposed by the Representative Council.
- F. A quorum for all meetings of the Executive Board shall consist of four members of the Executive Board.
- G. Failure of an Executive Board member to attend two (2) or more consecutive meetings (Rep Council meetings and Executive Board meetings) without an acceptable excuse, or a total of three (3) meetings within a one year period shall constitute grounds for removal from the Board by the remaining Executive Board Members.
1. The Association President must be notified for absence and reason for absence to be excused.
 2. Any vacancy of the Executive Board shall be filled by recommendation of the President and approval of the representative Council.²

IX. Scholarship Committee

- A. Scholarship Committee shall be appointed by the President and approved by the Representative Council.
- B. Shall present the candidates names for the scholarships to the Representative Council for approval.

X. Amendments

- A. The Standing Rules may be amended by a simple majority vote of those present at any regular or special Representative Council meeting provided a written notice is submitted to the Secretary prior to the motion of amendment.
- B. These bylaws may be amended by a two-thirds vote of those present at regular or special meetings of the Representative Council provided notices 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 by the Representative Council.

XI. Bargaining Team

- A. Members of the Bargaining Team as necessary shall be recommended by the President and approved by the Representative Council.
- B. The Executive Board shall adopt standing rules setting forth its selection procedures for Bargaining Team members, for terms of office and criteria for appointment.

² Approved at the BTA Representative Council Meeting of April 5, 2011.

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- C. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit.
- D. Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Representative Council subject to policies established by the membership.
- E. The Representative Council shall provide for the dissemination of information to the general membership regarding the activities of the Bargaining Team.
- F. The Bargaining Team shall report its activities to the Representative Council or the membership in such form, and with such frequency, as the Representative Council may require.
- G. Bargaining team members will attend Representative Council meeting while a successor agreement is in negotiations.
- H. A bargaining team that is absent for two (2) meeting (unexcused) during active negotiations may be removed from the bargaining team by the Representative Council.³
- I. Agreements reached between the Bargaining Team and the School Board or its representative shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership.
- J. The procedure for ratification shall be as follows:
 - 1. Complete Tentative Agreement acceptance by the Bargaining Team will be presented to the Executive Board and Representative Council for review;
 - 2. Should the Board and the Representative Council be in favor of the complete Tentative Agreement, copies of the Tentative Agreement will be distributed to the membership within ten working days;
 - 3. Tentative Agreements require two signatures. The Chief Negotiator (Bargaining Chairperson) shall sign the Tentative Agreement at the time of agreement. The President shall sign only after the approval of the Representative Council, and
 - 4. Two more working days, or no less than 48 additional hours, must elapse before a vote on the proposal by the general membership may be taken.

XII. CTA State Council Representative and NEA Delegates

- A. All representatives to the CTA State Council and the NEA Assembly to which the Association is entitled shall be elected with open nomination and by secret ballot.
- B. CTA State Council Representative (s) shall be elected for a term as specified by CTA.
- C. NEA delegates shall be elected for term specified by NEA.

³ Approved at the BTA Representative Council Meeting of April 5, 2011.

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XIII. Representative Council

- A. Site Representatives shall be elected by and from the active membership for each faculty group for a term of two years. Such elections shall be by open nominations by September 30.
- B. Each faculty shall be entitled to at least one representative and shall have one representative for each twelve Association members, of the major portion thereof, on the faculty.
- C. Active members who are not represented through an individual school faculty group shall be counted as special faculty group entitled to the same representation on the Council as the individual school faculty groups.
- D. Personnel, whose duties make them part of more than one site, faculty group shall be considered a member of the faculty group at the site they spend the greatest block of time.
- E. Site Representatives shall:
 - 1. Conduct constant and on-going 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 easily and quickly be transmitted between the Representative Council and the active membership;
 - 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. Hold school site meetings, and
 - 5. Perform such additional duties as prescribed by the Representative Council.
- F. A representative who fails to attend three (3) consecutive regular meetings shall be considered to have resigned and the vacancy shall be filled.
 - a. Whenever a vacancy occurs in any representative position, the school site may within thirty (30) days elect a successor to serve the balance of the term in the same manner and subject to the same requirements as for the regular election.⁴

XIV. Grievance

- A. Each site may elect at least one member to serve for a period of one year to process grievances as defined in the contract.
- B. The duties of the Grievance Committee shall include but not be limited to the following:
 - 1. Provide for representation to assist all members of the bargaining unit in processing grievances;
 - 2. Obtain training for handling grievances, and

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3. Evaluate the Association's grievance policies and procedures.
- C. The Representative Council shall adopt Standing Rules setting forth the procedures for grievance processing.

XV. Nominations and Elections

- A. The President shall appoint the Nominating Committee at the Representative Council Meeting in April of each odd numbered year.
- B. Nominations for office shall be made as follows:
 1. Any active member, at his request, shall have his name placed upon the ballot for an office of the Association, other than President and Vice-President;
 2. The name of any active member may be placed in nomination by any other member with the consent of the nominee, and
 3. Candidates for the office of President and Vice-President shall have served as members of the Representative Council within the previous four years preceding their election to office.
- C. In May, at their respective school sites, Site Representatives shall monitor the election of Association officers. Ballots will be delivered to the President-appointed Election Committee.
- D. Elections of State Council Representative, NEA delegates, and any other CTA or NEA representatives requiring balloting, will be conducted when and as directed by said affiliates.

XVI. Committees

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

XVII Meetings of the Association

- A. Meetings of the Association may be called by the President, the Executive Board, or written petition of 20% of the membership.
- B. Notices of the Association meetings include dates, place, time, and purpose of meeting and shall be made available to all members of the Association at least two days prior to 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. A quorum for the general meetings of the Association shall be a majority of the active membership in attendance.

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XVIII. Parliamentary Procedures

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