

BYLAWS
BALDWIN PARK EDUCATION ASSOCIATION/CTA/NEA

I. NAME AND LOCATION OF ASSOCIATION

The official name of this Association shall be the Baldwin Park Education Association (BPEA)/CTA/NEA in Los Angeles County and, as such, shall be incorporated within, and under the Laws of the State of California as a Tax Exempt, Non-Profit Organization.

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 to 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.

III. AFFILIATION WITH THE CTA/NEA

A. The Baldwin Park Education Association shall be a chartered chapter of the California Teachers Association (CTA).

B. The Baldwin Park Education Association shall be an affiliated local association of the National Education Association (NEA).

IV. MEMBERSHIP

A. Categories of Membership

There shall be two categories of membership in the Association: Active and Associate.

1. 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 a certificated employee in the K-12 bargaining unit of the Baldwin Park 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 teacher bargaining unit.

2. Associate membership shall be open to any certificated employee of the Baldwin Park Unified School District who holds a supervisory position and is interested in advancing the cause of public education, but who is not eligible to be an Active member.

B. Membership may be granted upon initiation of payroll deduction or upon payment of annual BPEA/CTA/NEA dues appropriate to the class of membership.

C. The right to vote and hold elective or appointive office shall be limited to Active members.

D. Active members shall be eligible to vote in all elections, hold elective office or appointive positions, 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 1st of any given calendar year through August 31st of the following calendar year, inclusive.

V. DUES, FEES AND ASSESSMENTS

A. The basic annual dues level for Association 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 the 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. The chapter (local) shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the BPEA/CTA/NEA dues.

D. Membership shall be continuous after initial enrollment until delinquent or until a change in the professional status shall make the member ineligible for that

class or category. If by October 31st of any calendar year, a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payments, then that person's membership shall be considered delinquent and the name dropped from the rolls.

E. The basic annual Association dues level for Active members shall be no more than an amount equal to .004 of the previous year salary using Schedule A, Step 1 as the base, in addition to the dues of the CTA and NEA. Such enactment and assessment shall be automatic, on a yearly basis, unless otherwise acted upon by the Board of Directors and Representative Council.

VI. POLICY MAKING BODY

A. The policy-making body of the Association shall be the Representative Council. The Representative Council, comprised of 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. Executive Board, ex-officio;
2. Faculty Representatives elected on the basis of one-person one-vote;
3. Ethnic Minority Representative(s);
4. Service Center Council Representative(s) (When not already serving on Representative Council in another capacity.);
5. Committee Chairperson(s), ex-officio non-voting; and
6. Any members of the Association who hold CTA/NEA offices or committee appointments, ex-officio non-voting.

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 membership year;
3. Approve the establishment or discontinuance of committees recommended by the Executive Board and appointments to committees as recommended by the Board of Directors;
4. Establish the dues of the Association.

D. The Representative Council shall meet at least nine times during the school year, the 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 petition of twenty percent (20%) of the 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 three days prior to the date of the meeting.

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

I. 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 years except for the CTA State Council Representative whose terms are set by CTA.

VII. FACULTY REPRESENTATIVES

A. Faculty Representatives shall be elected by and from Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.

B. Each faculty shall be entitled to at least one representative for each twenty Association members on the faculty.

C. If a vacancy should exist in a faculty representative position due to death, resignation, or inability to serve in his/her elected capacity, the faculty group will elect another representative following procedures established by these Bylaws.

D. 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.

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 Association and the Active 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; and
4. Perform such additional duties as prescribed by the Executive Board.

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

VIII. OFFICERS

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

B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.

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 three years, commencing on July 1st, with a maximum term limit of two consecutive terms for the office of President only.

E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.

F. The President shall be the chief executive officer of the Association and its policy leader. The President shall:

1. Preside at all meetings of the Association, the Representative Council, and the Executive Board;
2. Prepare and distribute the agenda and notices 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, the CTA, and the NEA;
5. Appoint all chairpersons and members of committees, with the approval of the Executive Board and confirmation by the Representative Council;
6. Call meetings of the Association, Representative Council and the Executive Board;
7. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
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;

10. Attend other CTA/NEA meetings as directed by the Representative Council;
 11. Serve as an ex-officio non-voting member on all committees; and
 12. Co-sign all checks with the Treasurer or Vice President drawn upon the Association Treasury.
- G. The Vice-President shall:
1. Serve as the 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. Serve as the coordinator of committee activities at the direction of the President;
 5. Serve as an ex-officio non-voting member on all committees; and
 6. Co-sign checks with Treasurer or President, drawn upon the Association Treasury.
- H. The Secretary shall:
1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and Executive Board;
 2. Be responsible for the distribution of minutes of meetings to members of the Representative Council and Executive Board, and the membership when appropriate;
 3. Keep an accurate roster of the membership of the Association and all committees; and
 4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
- I. The Treasurer shall:
1. Receive all funds belonging to the Association and be responsible for the safekeeping and accounting;
 2. Pay out such funds upon orders from the President and co-sign with the President, or Vice-President, all checks drawn upon the treasury;
 3. Provide a written financial report for each regular meeting of the Council and Executive Board;
 4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership; and

5. Be responsible for submitting membership and financial reports to CTA, NEA, or other agencies as required by law.

IX. EXECUTIVE BOARD

A. The Executive Board shall be composed of the elected officers and directors elected from the Active membership, as long as this complies with the “one-person – one-vote” rule.

B. The Directors will include Elementary School Director(s), Junior High/Middle School Director(s), Comprehensive High School Director(s), Auxiliary Director(s), and Minority Director(s).

1. The Elementary Director(s) will be elected from and will represent elementary school unit members.

2. The Junior High/Middle School Director(s) will be elected from and will represent the junior high/middle school unit members.

3. The Comprehensive High School Director(s) will be elected from and will represent the comprehensive high school unit members.

4. The Auxiliary Director(s) will be elected from and represent unit members such as counselors, North Park Continuation High School teachers, nurses, special education teachers, speech therapists, and teachers on special assignment.

5. The Minority At-Large Director(s) will be elected to represent and provide minority input for minority unit members.

The Association will recognize the following minority groups, representative of the Association, American Indian/Alaska Native, African American, Hispanic, and Asian/Pacific Islander.

C. 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.

D. The members of the Executive Board shall be elected with open nominations and by secret ballot.

E. The Directors of the Executive Board shall be elected for a term of three years, commencing on July 1st.

F. 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 (30) days.

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. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the members of the Executive Board of meeting days, place and time.

- H. The duties of the Executive Board shall be to:
1. Coordinate activities of the Association;
 2. Act for the Representative Council when school is not in session;
 3. Direct the bargaining activities of the Association, subject to policies established by the Representative Council;
 4. Approve appointment and removal of bargaining team members;
 5. Recommend a budget for the Association to the Representative Council, on or before the first Representative Council meeting of the year;
 6. Approve all appointments to committees including chairpersons;
 7. Adopt the Standing Rules for the Association;
 8. Adopt the grievance procedure;
 9. Direct the grievance activities of the Association; and
 10. Exercise all the business and organizational powers and duties of a corporation for the Association as prescribed by the law and these bylaws, subject to restrictions that may be imposed by the Representative Council.
- I. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body.

X. MEETINGS OF THE GENERAL MEMBERSHIP

- A. Meetings of the Association may be called by the President, the Executive Board, or by written petition of twenty percent (20%) of the Active membership.
- B. Notices of the Association meetings including date, place, time and the purpose of the meeting shall be made available to all members of the Association at least five working days before the meeting except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.
- D. A quorum for meetings of the Association shall be a majority of the members present.

XI. BARGAINING TEAM

- A. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.

B. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from a list of alternates.

C. The Executive Board, by a two-third (2/3) majority, may remove a member of the Bargaining Team.

D. 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.

E. The Bargaining Team is empowered to reach tentative agreements with the district subject to ratification by the Active membership.

F. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s).

G. Responsibility and authority for directing the Bargaining process on behalf of the Association is vested in the Executive Board subject to policies established by the membership.

H. 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 Association members in that unit.

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

J. 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 membership in appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that 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 president must provide Active members an opportunity to vote in all elections. Chapter 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 provisions 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 votes;
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 the 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 the CTA guidelines.

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

F. The duties of the Elections Committee shall be to:

1. Ensure that all BPEA/CTA/NEA election codes and timelines are followed;
2. Establish elections 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 the Representative Council.

C. **Standing Committees**

All Standing Committees shall report and act within their assigned field of research in accordance with the Representative Council. At the September meeting, the incoming President shall submit a list of nominees to fill vacancies of chairpersons of standing committees with the advice and consent of the Executive Board, subject to final ratification by majority vote of the Representative Council. The following shall be the Standing Committees:

- a. Political Action and Legislation
- b. Grievance
- c. Organizing
- d. Membership

D. Special Committees

The Executive Board in accordance with policies of the Representative Council shall appoint special Committees and Task Forces from time to time.

XV. PARLIMENTARY AUTHORITY

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

XVI. AMENDMENTS/PROCEDURES

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

These Bylaws were ratified on February 19, 2009.