

# VENTURA UNIFIED EDUCATION ASSOCIATION BYLAWS

## August

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# ARTICLE I IDENTIFICATION AND GOALS

## 1-1 Identification.

This organization has been established by ARTICLES OF INCORPORATION Number 517561 in the County of Ventura, State of California, and is hereinafter known as the Ventura Unified Education Association/CTA/NEAe

## 1-2 Goals

The following shall be pursued by the Association in carrying out its purposes as prescribed in the primary governance document:

- a. To seek to be the exclusive representative of appropriated 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 serve as the vehicle through which the membership can develop written policies and legislation goals for the best possible conditions of educational service and program within the Ventura Unified School District;
- c. To secure the implementation of these policies and goals through each of the following means:
  - (1) By negotiations with the Board of Trustees of the Unified School District, and
  - (2) By appropriate political and legislative activities in conjunction with state and national affiliates;
- d. Continuously to represent the membership, both individually and collectively, in matters arising out of the interpretation and application of policies and laws before officials of the Ventura Unified School District and other public officials having jurisdiction in any way over the educational service as a member or members within the Ventura Unified School district; and
- e. To serve the membership in any other lawful manner leading directly or indirectly to the improvement of group and individual morale and welfare with regard to service in the educational profession.

# ARTICLE MEMBERSHIP

## 24 General Requirements

To become a member, a membership enrollment form must be completed and filed, together with the prescribed amount of dues for the category of membership for which eligible, or payroll deduction authorization. In addition, membership must also be obtained in the appropriate parallel category within the California Teachers

Association and within the National Education Association whenever such memberships are available. Membership shall be open to any person 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 certified employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit.

## 2-2 Membership Year,

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

## 2-3 Delinquency and Change of Status.

Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible. If by December 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.

## 2-4 Exclusion from Membership.

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

## 2-5 Dues for Members

The basic annual dues level for active members and representation fee for non-members represented in the bargaining unit, members shall be sufficient to cover the operating expenses of the Association, and dues of the CTA and the NEA. This requirement may be waived if the VUEA reserves exceed \$100,000e (4/08)

The Association's portion of the basic annual dues shall be established by action of the representative council by the last regular meeting of the school year,

## 2-6 Property Rights.

No individual member shall attain rights to any property of the Ventura Unified Education Association/CTA/NEA as a result of the membership,

## 2-7 Prohibition against discrimination.

The rights to and privileges of membership shall not be abridged in any way because of gender, race, ethnic group, creed, national origin, age, marital status, or sexual orientation.

# ARTICLE III LOCAL FACULTY UNITS

## 3-1 General.

The basic component of the Association to which every member shall be assigned and carried on the rolls shall be the Local Faculty Unit,

## 3-2 Composition.

The Local Faculty Unit for each school campus shall consist of the members of the Association employed on that campus. Members who are not represented through an individual school Faculty Unit shall be counted as a Special Faculty Unit entitled to the same representation on the Council as individual school Faculty Units,

## 3-3 Allocation of Faculty Representatives

Each Local Faculty Unit shall be authorized at least one Faculty Representative. Additional Faculty Representatives shall be allocated on the basis of one Representative for every additional fifteen (15) members or major fraction thereof after the first fifteen (15) members. Allocation of Faculty Representatives shall be established by the Executive Board based on a membership census of each Faculty Unit as of January 1 of each calendar year. Once made each year, such apportionment shall remain in effect until the following December 31, unless an appeal for change based on extenuating circumstances is approved by the Representative Council.

### 3-4 Election of Faculty Representatives.

Faculty Representatives shall be elected by and from the membership for each Local Faculty Unit in the spring of each year and shall serve until their successors are elected and qualified. Such election shall be by open nomination and secret ballot

### 3-5 Alternates.

Alternate Faculty Representatives shall be elected by and from the members of each Unit as necessary to serve in the event of absence or incapacity of the regular incumbent for any reason.

### 3-6 Duties of Faculty Representatives

Faculty Representatives shall perform the following basic functions with any additional powers and duties as prescribed by the Executive Board:

- a. Conduct constant and ongoing liaison between the Association policymaking structure and the members of the Local Faculty Unit;
- b. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the membership; and
- c. Represent the views and input of the membership of the Unit in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose.

## ARTICLE IV GOVERNANCE AND GOVERNANCE DOCUMENTS

### 4-1 Basic Classes of Governance Bodies

The following shall be the three (3) basic classes of governance bodies for the Association in the order of their rank and precedence:

- a. The membership shall exercise the highest and ultimate class of governance through the General Election Process;
- b. The Representative Council shall act for membership on all policymaking matters as prescribed herein. The Representative Council derives its powers from and shall act for and be responsible to the membership.

- c. The Executive Board shall exercise ongoing governance as the organizational Board of Directors defined in the law and on all other matters delegated to it by the Governance Documents and/or by actions of the Representative Council.

## 4-2 Supplemental and Advisory Classes of Governance.

Association committees and task forces shall each have such supplemental and advisory powers and duties of governance as shall be prescribed within the Governance Documents and/or in the actions of the Governance Bodies appointing them.

## 43 Governance Documents

All types and classes of governance shall be conducted in accordance with the Governance Documents. These shall be as follows, in the order of their rank and precedence:

- a. ARTICLES OF INCORPORATION Number 517561: This shall be the constituted authority for the structure and existence of the Association as legal entity, Custody over this document is reserved by the membership to itself.
- b. These Bylaws. The Bylaws shall be the blueprint for the representative policymaking machinery and the related organizational structure of the Association. Custody over the Bylaws is delegated to the Representative Council except as may otherwise be directed by the membership.
- c. The Standing Rules. The Standing Rules shall be a written means by which the daily organizational business of the Association is accomplished. They also may be used where appropriated to implement the Bylaws and those policies of the Representative Council to which they can be applied. Custody over the Standing Rules is delegated to the Executive Board except as may otherwise be directed by the Representative Council.

## 44 Parliamentary Authority-

Where not otherwise prescribed within the Governance Documents, the latest edition of "Robert's Rules of Order" shall be the prescribed authority for the conduct of the meetings of all Governance Bodies,

## 45 Availability of Governance Documents and Record of Proceedings

Copies of the Governance Documents and Record of Proceedings (minutes) of the Governance Bodies shall be readily available to members at the organization's principal office of business and at each Local Faculty Unit.

Update copies of the Governance Documents shall be furnished to each Faculty Representative at the start of each membership year.

## 4-6 Amendments to or Modifications of the ARTICLES OF INCORPORATION.

The membership shall retain final ratification authority for amendments to or modifications of the ARTICLES OF INCORPORATION in accordance with the following procedure:



a, PROPOSAL. By majority vote, the Executive Board Representative Council may propose an amendment to the ARTICLES OF INCORPORATION at any meeting.

b. CONSIDERATION BY REPRESENTATIVE COUNCIL, Proposed amendments shall be considered by the Representative Council at the next regular meeting following their proposal. The Representative Council may order an amendment withdrawn, may further refine it in any manner which does not increase its scope or impact, or may approve it unchanged, the final approval and referral to require a two-thirds (2/3) vote of the council.

c. REFERENDUM GENERAL ELECTION. The proposed amendments shall be considered in the form approved by the Representative Council by a Referendum General Election.

d. RATIFICATION. At least two-thirds (2/3) vote of those voting in the Referendum General Election shall be required for final ratification. The effective date shall be the date of ratification, unless a later date is specified at the time of such ratification.

#### **4-7 Amendments to the Bylaws.**

The Representative Council and/or the membership shall have final ratification authority for amendments to these Bylaws in accordance with the following procedure:

a. PROPOSAL. By majority vote, the Executive Boards or the Representative Council may propose an amendment to these Bylaws during any meeting. By signed petition, fifteen percent (15%) of the members may propose an amendment to these Bylaws.

b, NOTICE, At least thirty (30) days notice to the membership shall be required prior to final consideration of the proposed amendment.

c. ADOPTION. An amendment proposed by the Executive Board or the Representative Council shall be debated, and by majority vote amend in any manner which does not increase its scope or impact, prior to the final vote in the Representative Council. The Council may, by majority vote, refer amendments to a Referendum General Election for final decision by the membership whenever such amendments are deemed to be substantial in nature. If acted upon directly by the Council, at least two-thirds (2/3) of those voting by written ballot at a valid meeting shall be required for ratification of the amendment. An amendment proposed by fifteen percent (15%) of the members through the petition process shall require at least two-thirds (2/3) of those members voting by written ballot. The effective date shall be the date of ratification, unless a later date is specified at the time of such ratification.

#### **4-8 Amendments to the Standing Rules**

The Executive Board shall have final approval authority for amendments to the Standing Rules as follows:

a. PROPOSAL By majority vote, the Executive Board may propose, or the Representative Council may direct, an amendment to the Standing Rules at any meeting.

b. ADOPTION. The proposed or directed amendment shall be subject to adoption by a two-thirds (2/3) vote of the Executive Board at any meeting thereafter.

# ARTICLE V GENERAL ELECTIONS

## 5-1 Classes of General Election.

The classes of General Election shall be: Annual, Initiative, Referendum, Contract\* VUEA Bylaws, Ratific<sup>ation</sup>, and Recall. A member may not conduct an election in which he/she is a candidate,

## 5-2 Annual General Election

The Annual General Election shall be the means by which the membership shall elect the principal Officers and Directors and the representatives to the National Education Association. Officers shall be and remain currently paid-up and active local, state, and national members as a condition for nomination and service in the respective positions during their terms of office.

ae Nominations for office shall made as follows:

- (1) Any member, at his/her request, shall have his/her name placed upon the ballot for an office of the Association.
- (2) The name of any member may be placed in nomination by any other member, with the consent of the nominee.
- (3) Where necessary, additional nominations may be made by the Representative Council in the regular meeting held no sooner than twenty (20) school days prior to the Annual General Election to insure that at least one person is nominated for each office.

b, Elections for Executive Board shall be held in April (in conjunction with the NEA RA election, if possible). The call for nominations shall take place at the February Rep Council Meeting. Nominations shall be taken and closed at the March Rep Council Meeting. Site Representative selections should be made in June or August on an annual basis,

c. **BALLOTS.** The names of all qualified candidates nominated by any of the foregoing procedures shall appear on the ballots. The CTA alphabet shall be used to establish the order the names are listed on the ballot.

## 5-3 Initiative General Election.

The members of the Association shall retain for themselves the power of the initiative on any matter falling within the authority delegated to the Representative Council as follows:

- a. **CALL OF ELECTION.** The Executive Board shall act within five (5) days to call an Initiative General Election upon receipt of a petition containing the signatures of at least fifteen percent (15%) of the current members,
- b. **POSNG OF QUESTION.** The petition shall set forth the specific question to be posed on the ballot.
- c. **PRO<sup>u</sup>CON ARGUMENTS.** Separated Statements in support of, and in opposition to, the proposal shall also appear on the ballot, They shall not exceed two hundred (200) words in length apiece, and shall be written by known proponents and opponents of the issue within three (3) school

days of the receipt of the petition. Similar rebuttal statements not to exceed fifty (50) words in length apiece shall

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be prepared by the same parties within two (2) school days of the completion of the basic statement.

d. **RECOMMENDATIONS OF COUNCIL.** If, in its judgment, the issue warrants it, the Executive Board may call the Representative Council into session to consider the Initiative proposal. The Council<sup>1</sup> shall have the right to insert a simple statement on the ballot as to whether it recommends approval or disapproval of the measure proposed but without editorial comment.

## 54 Referendum General Election

Procedures for a Referendum General Election shall be the same as for an initiative General Election, except that a Resolution of Referendum adopted by the Representative Council shall substitute for the initiative petition.

5-5 Contract Ratification Election Procedures for a Contract Ratification Election shall be the same as for an Initiative General Election, except as follows:

a. Upon completion of negotiations of a proposed contract, the Negotiating Committee shall recommend to the Executive Board to close negotiations. The Executive Board shall decide, by a majority vote, whether to close negotiations. The Executive Board shall present the Proposed Contract Agreement to the Representative Council for approval. The Representative Council shall make the decision to put the Proposed Contract Agreement to a vote of membership.

b. A vote on the Proposed Contract Agreement will be conducted in one of two methods. The Representative Council shall decide the method to be used.

Option One: Campus Balloting as described in Article 5-7. The election controls called for in article 58 shall be strictly followed\*

Option Two: At four sites within the school district, the election shall be no earlier than ten (10) working days after the Executive Board declares negotiations closed. The voting sites will be such that close proximity is available to all areas of the district. An example might be De Anza Middle School, Cabrillo Middle School, Buena High School, and J. Serra School. Each site will be assigned to a specific polling location in close proximity. (adopted May 13, 1991)

c. The date of the Ratification Election, including absentee balloting, will be determined by the Executive Board. Elections are to be held on a Tuesday, Wednesday, or Thursday (none of which precedes or follows a holiday) between the hours of 3:00 and 6:00 P.M. Notification of the election and

ballots are to be in the buildings five (5) days prior to the date of the election. (adopted May 13, 1991)

d. The Contract Ratification Election will be under the direct supervision of an Elections Committee of five (5) members appointed and approved by the Representative Council. (adopted May 13, 1991)

e. In the event of a multi-year agreement between the Association and District is in force, the procedure for ratification of items negotiated subsequent to full contract ratification shall be:

- (1) Ratification of the subsequent item(s) shall be by a majority vote of those persons present and voting of the Executive Board and Representative Council.
- (2) Ratification of the subsequent item(s) shall be determined using the procedure specified in paragraphs a., b. , and c. of this article of the Association Bylaws, if requested by a majority



# ARTICLE VI THE REPRESENTATIVE COUNCIL

6-1 Composition. The Representative Council shall consist of voting members as defined herein, Non-voting members may speak to issues but shall not be entitled to make motions or vote and shall not be included in the establishment of a quorum.

6-2 Voting Members, Each of the following persons shall be entitled to one vote in the Representative Council except that no person shall be entitled to more than one vote by virtue of holding more than one office of entitlement to vote:

- a. Faculty Representatives or their alternates from Local Faculty Units; and
- b. Members of the Executive Board; and
- c. CTA State Council Representatives.

## 6-3 Non-Voting Members.

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

## 6-4 Meetings

Regular meetings of the Council shall be scheduled at least monthly during the school year by the adoption of a regular meeting schedule. Special meetings shall be called upon five (5) school days notice either by an action of the Executive Board on its own initiative or by the President upon receipt of a petition signed by at least one-third (1/3) of the Faculty Representatives. The final regular meeting each year shall be considered as the Annual Meeting of the Association. The Executive Board shall adopt procedures to notify representatives of postponement or cancellation of regular meetings, 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.

## 6-5 Quorum.

A majority of those Representative Council members who have signed in at that meeting shall be considered a quorum for that meeting. (Revised April 24, 1984)

## ~~6-6~~ General Authority and Major Policy.

The council shall have the authority to handle immediately all business properly placed before it in its capacity to act for the membership as the policymaking body. A delay until the next regular or special meeting in the handling of an item of business shall occur by its declaration to be a Major Policy. Such delay shall be for the purpose of permitting the polling of Local Faculty Units by the Faculty Representatives. Major Policy may be declared by either of the following methods:

- a. A majority vote of the Representative Council; or
- b. A ruling from the Chair at the time an item is being considered, provided, however, that such a ruling may immediately be overturned by the two-thirds (2/3) vote of the Council

## 6-7 President.

The President shall be the presiding officer for the Council. If the President is absent or unable to chair because

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of participation in debate on a particular item of business, the shall be temporary chairperson. In case both are absent and unable to chair, a caucus of the principal Officers present shall select a chairperson. If o principal Officers are present, the business shall be temporarily suspended pending the immediate election Of chairperson pro tem by the Faculty Representatives present,

## 6-8 Agenda.

The Council shall have the authority to adopt and change its own agenda. A preliminary agenda shall be prepared and submitted by the President under the supervision of the Executive Board.



## ARTICLE EXECUTIVE BOARD

### 7-1 Powers, Duties, and Functions

The Executive Board shall exercise all the business and organizational powers and duties for the Association<sup>n as</sup> prescribed by law, the ARTICLES OF INCORPORATION and these Bylaws, subject to any restrictions w<sup>hich</sup> may be imposed by the membership in a General Election and/or by policies adopted by the Representative Council.

### 7-2 Emergency Powers.

In emergencies which occur during times in which the Representative Council cannot be called into session to act, the Executive Board shall have the power to act in place of the Representative Council by a two-thirds (2/3) roll call vote. Such actions shall not violate any policies already specifically adopted by the Representative Council and shall not extend to the amendment of the Governance Documents.

### 7-3 Composition.

The Executive Board shall consist of the principal officers as elsewhere defined by these Bylaws. All members of the Board may be referred to herein simply as Directors,

### 7-4 Meetings.

The Board shall meet regularly at least monthly, Special meetings may be called upon two (2) days notice by the President or upon written concurrence of a majority of the Directors.

### 7-5 Quorum.

Seven of the twelve Executive Board members must be present to conduct business.



# ARTICLE OFFICERS

## 8-1 General.

The principal officers shall be President, Vice-President, Secretary, Treasurer, and Directors-at<sup>w</sup>Large,

8-2 President. The President shall be elected each year in the Annual General Election for a one-year t<sup>erm</sup> of service to begin on July L The President shall preside over meetings of the Representative Council and h<sup>e</sup> Executive Board wherever not otherwise prescribed and shall ftmction as the official spokesperson for all actions of the governance bodies, (Revised June 2, 2003)

## 8-3 Vice President.

The Vice-President shall be elected each year in the Annual General Election for a on+year term of service to begin on July 1. The Vice-President shall serve as assistant to the President in all duties of the President and shall function as President in the absence or incapacity of the President. (Revised March 12, 1984)

## 8-4 Qualifications for President and Vice President:

Each must have been a full-time representative of the Representative Council, or a full time\_member ofthe Grievance or Negotiating Committee, or full time Executive Board Member during two of the last three years prior to their election, Full time requires attendance at 2/3 of all regularly scheduled Representative Council meetings. (Revised February 2002).

## 8-5 Secretary.

The Secretary shall be elected in the Annual General Election for a two-year term and shall take office on July 1 of odd-numbered years. The Secretary shall have custody over the official minutes of all business meetings of the governance bodies where not otherwise prescribed. 8-6 Treasurer.

The Treasurer shall be elected in the Annual General Election for a two year term taking office on July 1 of even-numbered years. The Treasurer shall have custody over all funds and books of account of the VUEA Association under the supervision of the Executive Board, shall prepare the preliminary budget for consideration by the Executive Board, and shall have the responsibility for maintenance of the membership rolls of the Association,

## 8-7 Directors-at-Large.

There shall be two (2) Directors-at-Large assigned to or serving kindergarten though fifth grades inclusive, two (2) Directors-at-Large assigned to or serving sixth thru eighth grades, and two (2) Directors-at-Large assigned to or serving ninth thru twelfth grades. Itinerant bargaining unit members may run for any of the levels they serve. Bargaining unit members assigned to the District Office may run for the level in which they most recently worked before being assigned to the District Level. The Directors-at-Large shall be elected in the

Annual General Election for a staggered two-year term so that half of the Directors will be elected each year,

## 8-8 Qualifications

All Directors must have been members of the Association for at least one (1) year prior to their term of service. They must remain members throughout their term of service.

## 8-9 Interim Appointments to Fill Vacancies.

Vacancies which occur during the term of office of any principal officer other than that of President shall be filled by a nominee from the Executive Board subject to final ratification by a majority vote of the

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Rebrepresentative Council. Vacancies in the office of President shall be filled by the Vice-President (Ratified March 2, 1987)

### 8-10 CTA State Council Representatives.

Ventura Unified Education Association CTA State Council Representatives shall be full-voting members of the VUEA Executive Board and the Representative Council. The terms are for three years. An alternate shall also be elected, The alternate is not a member of VUEA Executive Board by virtue of this position

### 8-11 Negotiations Chair:

The Negotiations Chair shall have an open invitation to attend the Executive Board Meetings , should the Negotiations Chair deem it necessary. When present, the Negotiations Chair is a non voting member of the Executive Board.

### 8-12 Grievance Chair:

The Grievance Chair shall have an open invitation to attend the Executive Board Meetings, should Grievance Chair deem it necessary. When present, the Grievance Chair is a non voting member of the Executive Board.

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# ARTICLE uX CTA STATE COUNCIL REPRESENTATIVES

## 9-1. State Council Representative(s).

Representatives and alternates to the State Council of Education of the California Teachers Association shall be elected by the membership in the Annual General Election, State Council Representatives and Alternates shall perform analogous duties to and from the state organization similar to those duties assigned to Faculty Representatives to be performed to and from the Association.



# ARTICLE X COMMITTEES

## 10-1 Standing Committees.

All standing committees shall report and act within their assigned field of research in accordance with the Representative Council. The President shall submit a list of nominees to fill vacancies of members of Grievance Committee, Political Action Committee, and Special Committees with the advice and consent of the Executive Board. Committee membership shall be subject to final ratification by a majority vote of the Representative Council, unless otherwise designated.

Committees and committee members shall be submitted to the Representative Council each September, for approval. Additional members may be added to committees with the consent of the Representative Council.

The VUEA Grievance Committee, Political Action Committee, and Special Committees shall consist of five (5) members on each Committee. Term of member shall be for two years (staggered). Any member may succeed himself/herself with proper approval. The committees shall elect their chairpersons.

Any member of the Committee may be expelled by a two-thirds (2/3) vote of the VUEA. The following shall be VUEA's Standing Committees:

a. Negotiating Committee. The members of the Association bargaining team shall comprise the Negotiating Committee. The members of the Committee shall be appointed by the Executive Board. The Representative Council shall approve appointments by majority vote. Replacements to fill vacancies for any reason, including the consequent withdrawal of one or more members of the Committee by the replacement thereof, shall be made by the same process as for the initial appointment. The Negotiating Committee shall be responsible to the Executive Board for conducting negotiations and making reports to the Representative Council as needed. The term of office shall be from April 1 to March 1. The terms on the Negotiating Committee shall be four years. In order to assure continuity, it is recommended that not all terms expire the same year. In times of prolonged negotiations, the Executive Board shall have the authority to extend the term of office. Members of the Negotiating Committee may be recalled by a 2/3 vote of the Executive Board,

b. Grievance Committee. The Committee shall be responsible for implementing the Association's grievance program. It shall provide representatives to assist members of the bargaining unit in processing grievances. It shall represent the Association at grievance proceedings whenever a member of the bargaining unit is processing a grievance without the assistance of the Association. It shall make recommendations to the Executive Board regarding the budget for grievance processing and arbitration costs and shall keep the Executive Board informed regarding the operation of the grievance program. It shall consider carefully the merits of each grievance (either make a decision, or make recommendations to the Executive Board) regarding the submission of a grievance to arbitration.

c. Political Action Committee. The Political Action Committee shall be responsible for the Political Action program. It shall make recommendations to the Executive Board and Representative Council for approval.

## 10-2 Special Committees.

Special Committees shall be formed from time to time as needed subject to the specifications of the Executive

Board and/or Representative Council. Such committees shall study and report in the area of research

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established for them each year and then shall automatically be dissolved. Examples of such areas shall include but not be limited to nominating, finance, salary, retirement, ethics, teacher education and professional standards; communications and public relations; curriculum and instruction; economic services, and legislation; blood bank; rules and elections; and contract development.

### 10-3 Ex-Officio Membership on Committees.

The President shall be an ex-officio member of all committees.



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## ARTICLE EMPLOYMENT OF STAFF

### 11-1 General Policies

The Representative Council shall have the authority to adopt general policies for staff employment and to make general allocations in the Annual Budget for the expenses in connection therewith.

### 11-2 Employment Authority.

Within the established policies and budget limitations, the Executive Board shall be the employment authority for all paid staff, and for setting forth in contract and/or job description form the terms and conditions of employment.

11-3 Non-Discrimination Clause. Paid staff shall be entitled to the same general rights of due process as the Association seeks to ensure its own membership. The same non-discrimination policy shall apply to paid staff as is contained elsewhere within the Bylaws for membership rights.

11-4 Types and Categories. During the time the Association employs an Executive Director, whether this be separately contracted for from some other agency or affiliate, such person shall head the total association professional and secretarial paid staff. In addition to the Executive Director and any other supplemental professional staff, secretarial staff may be employed as authorized and necessary within the limits of the Association policies and budget.



# ARTICLE XII - FINANCES

## 12-1 Dues, Fees and Contributions

- a. Annual membership dues may be paid in cash, by payroll deduction, or by special arrangement. The amount shall be as prescribed in Article 12.1 of the Standing Rules each year following the adoption of Annual Budget.
- b. Special assessment fees beyond normal annual dues may be levied in the event of an emergency by a two-thirds (2/3) vote of the Council following ten (10) school days notice to the membership.
- c. Contributions may be accepted for the general budget by action of the Executive Board. Donations of materials or property may also be accepted by similar action. Where conditions as to use are attached to a contribution or donation, the Representative Council shall set policies within which such contributions or donations may be accepted.

## 120 Fiscal Year.

The Fiscal Year shall be defined as the period of time between September 1 and the following August 31 inclusive. (4/08)

## 12-3 Adoption and Annual Budget.

The preliminary Annual Budget shall be submitted to the Representative Council by action of the Executive Board at the regular meeting prior to the Annual Meeting, and shall include the recommended dues level needed to fund the budget. A copy of the proposed budget shall be posted in each Local Faculty Unit at that time and remain posted until the Annual Meeting. Final refinement and adoption shall be the responsibility of the Council at the time of its Annual Meeting. Changes in and among categories not to exceed five percent (5%) of the total for the given category may thereafter be made during the fiscal year by action of the Executive Board; changes in excess of this percentage shall be made only with the approval of the Council.

## 124 Expenditures of and Accounting for Funds.

The Executive Board shall be responsible to the Representative Council for setting up adequate procedures for control of the expenditure of funds. The Board shall arrange for an annual audit of expenditure and

budget by a Certified Public Accountant with a written report by such CPA also furnished to the Council and posted on each campus bulletin board.

## 126 Restriction Upon Indebtedness.

The Executive Board shall not incur indebtedness where the payments for same exceed the amount provided in the budget for that purpose without prior approval of the Representative Council.

# ARTICLE XIII RECORDS AND PUBLICATIONS, NOTICES AND CORRESPONDENCE

## 13-1 Availability of Records.

The Executive Board shall insure that membership has adequate access to the non-privileged business records of the Association. The Standing Rules shall contain provisions for segregating the records into classes of privileged categories. There shall be a generally available record book, including the updated copies of the Governance Documents and minutes of recent meetings of the governance bodies, as well as other pertinent records and financial reports. Facsimile copies of the documents contained in the record book shall be available to any member at the cost of reproduction.

## 13-2 Publications.

Provisions for publications, official policy statements, and other similar items shall be contained within the Standing Rules.

## 13-3 Notice to the Membership.

The giving of Notice to the Membership as used or required in these Bylaws, shall be defined as making available to such membership information to which they are entitled concerning the conduct of Association affairs in such manner as to permit participation of the membership in the organizational decision-making process. The minimum requirements for the giving of Notice, wherever such is required by the Governance Documents, shall be the posting in a conspicuous place in each of the following locations of the item or document necessary for such notice:

- a. The organizational headquarters;
- b. A bulletin board maintained within each Local Faculty Unit,

## 134 Receipt of Petitions and Correspondence

Petitions, correspondence, and other communications addressed to the Association or to its Executive Board or Representative Council shall be considered properly received when delivered either to the President and/or the Executive Director. In the event of the unavailability or incapacity of the President, the Vice-President may act to receive such items. BYLAWS 2007