

Hemet Teachers Association

**Constitution
&
BYLAWS**

Revised September 1999, November 1999, October 2002, March 2003, December 2006 and February 2007

Hemet Teachers Association

CONSTITUTION

ARTICLE I

Name.

The name of this Association shall be the Hemet Teachers Association/CTA/NEA in Riverside County.

ARTICLE II

Purposes.

The purposes of this Association shall be:

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

ARTICLE III

Affiliation.

The Hemet Teachers Association (HTA) shall be a chartered chapter of the California Teachers Association (CTA). The HTA shall be an affiliated local chapter of the CTA San Geronio Service Center Council. The HTA shall be an affiliated local Association of the National Education Association (NEA).

ARTICLE IV

Membership.

All personnel within the Certificated Bargaining Unit of the Hemet Unified School District (HUSD) and those granted leaves, by the HUSD, may become members of this Association upon payment of annual dues as set forth in the Bylaws. Non-members hired after 8/31/90 are fee payers.

There shall be five classes of membership in the Association, Active, Staff, Student, Retired, and Associate.

1. General Qualifications: The general qualifications for each class, in addition to being in current dues status and meeting other requirements specified for that class, shall be as follows:
 - A. Membership in the Association is not transferable.
 - B. No member shall be permitted to remain in a class of membership for which he/she is no longer qualified. Members who have paid their dues for a membership year in a given class shall not have their rights to membership denied for the balance of that year as a result of this provision.
 - C. Anyone admitted to any class of membership in the Association shall also become a member of the corresponding class, where such membership is available, both in the chapter serving the area or level in which he/she is actively employed, and of the CTA, and of the NEA, through the payment of dues.
 - D. Enrollment in all classes of membership is limited to persons who support the principles and goals of the Association and who subscribe to the Code of Ethics of the Education Profession.

2. Description of Classes and Authorization for Enrollment:
 - A. In the case of membership classes other than the Active class, the State Council of Education shall have the authority to authorize or to terminate authorization for membership enrollment in any given class.
 - a. ACTIVE. Active membership shall be open to any person engaged in, or who is on a limited leave of absence from, non-administrative, non-supervisory, professional educational work. The definition of administrative or supervisory status in higher education units shall be determined by the governing body of the local Association chapter. Active members shall hold or shall be eligible to hold a baccalaureate or higher degree or the regular teaching, vocational or technical certificates required by their employment.
 - b. STUDENT. Any person regularly enrolled in or preparing to enroll in a teacher training institution in the State of California and eligible to become a member of the Student California Teachers Association under the provisions of the governance documents of that association may become a STUDENT member.
 - c. ASSOCIATE. Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Association.

The different types of eligibility and services for such memberships shall be prescribed in the Standing Rules.

3. The rights 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.
4. Members shall adhere to "The Code of Ethics of the Education Profession," found at the back of California credentials.
5. Members shall be entitled to:
 - A. Vote according to the one-person, one-vote principle.

- B. Hold elective and appointive offices.
 - C. Receive special services, obtain assistance in the protection of professional and civil rights, and receive the membership publications of HTA/CTA/NEA.
 - D. Attend Association meetings except where personnel issues require confidentiality.
 - E. Be heard upon proper recognition on any pertinent matter at meetings of the Association.
 - F. Receive all other rights and privileges inherent in this Constitution and Bylaws.
6. Revocation of Membership:
- A. The Representative Council may censure, suspend from membership or expel any member who has violated the ethics of the education profession, and may reinstate any member who has been previously suspended or expelled. Members shall have a due process hearing under the appellate procedure.
 - B. Rights of membership shall cease if financial obligations are not met as set forth in the Bylaws.
 - C. Individuals serving as negotiators for a public school employer are not eligible for membership in the Association.

ARTICLE V

Dues, Fees and Assessments.

1. The basic annual dues level for ACTIVE members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
2. 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 during the school year preceding the effective year of the charges.
3. Representation fees shall be apportioned on the same percentage basis as the full United Teaching Profession dues.
4. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped for the rolls.

ARTICLE VI

Officers.

1. There shall be a President, Vice President, 2nd Vice-President, Secretary, and Treasurer of the Association.
2. These officers shall take office as set forth in the Bylaws, and shall be elected by the membership through open nomination and secret ballot of one vote per member.
3. The President and Vice President shall be and remain currently paid-up members of the HTA as a condition for nomination to and service in their respective positions during their terms of office.

4. All officers shall remain members of the Association as a condition for holding office.

ARTICLE VII

Executive Board.

1. There shall be an Executive Board comprised of the Officers of the Association.
2. The Executive Board shall assume office on the day of installation, no later than July 1.
3. The Executive Board shall make and adopt rules and regulations consistent with this Constitution and Bylaws, and the directions of the Representative Council for the conduct of business of the Association.

ARTICLE VIII

Representative Council.

1. The governing body of the Association shall be the Representative Council, which shall meet at regular intervals to transact the business of the Association.
2. The Executive Board, the Site Representatives, and other elected representatives of the Association shall be members of the Representative Council.
3. Site Representatives shall be elected as set forth in the Bylaws.
4. Ex-officio members of the Representative Council, without vote, shall include CTA State Council Representatives and delegates to the NEA Representative Assembly.

ARTICLE IX

Appointive Positions.

1. The appointive offices of the association may include any non-elected positions.
2. Appointments shall be made by the President after consultation with the Executive Board, subject to the approval of the Representative Council.
3. Duties of the appointive offices shall be proposed by the Executive Board, subject to the approval of the Representative Council.
4. Appointees shall serve at the pleasure of the Executive Board.

ARTICLE X

Meetings.

1. Meetings of the Association, the Representative Council and the Executive Board shall be held as set forth in the Bylaws.
2. Special meetings of the Association, the Representative Council and the Executive Board may be called as set forth in the Bylaws.
3. The members present shall constitute a quorum for all general meetings of the Association.
4. A quorum for the Executive Board, Representative Council or any committee meetings shall consist of a majority of those members.

ARTICLE XI

Committees.

1. There shall be the following standing committees:
 - A. Negotiations
 - B. Grievance
 - C. Political Action
2. Other Committees shall be established as deemed necessary by the Representative Council or the Executive Board or the President, such as:
 - A. Salary/Fringe Benefits
 - B. Curriculum and Instruction
 - C. Membership
 - D. Courtesy and Social
 - E. Retirement
 - F. Publicity and Archives
 - G. Special Services
 - H. Others
3. The chair and members of each committee shall be selected as set forth in the Bylaws.

ARTICLE XII

Elections.

1. Elections shall be held every two years for the Officers and Representatives of the Association as set forth in the Bylaws.

ARTICLE XIII

Fiscal Year.

1. The fiscal year of the Association shall be from September 1 through August 31.

ARTICLE XIV

Amendments.

1. Proposed amendments to the Constitution shall be filed with the Secretary of the Association and submitted in writing at least 15 school days before they are to be voted upon. Such changes(s) shall become effective September 1, following ratification.
2. A 2/3 majority of the vote cast shall be required to ratify amendments to the Constitution. Votes shall be cast as set forth in the Bylaws.

ARTICLE XV

Initiative, Referendum, Recall.

1. The rights to initiative, referendum and recall of officers and other officials of the Association are granted to the membership as set forth in the Bylaws.

ARTICLE XVI

Ratification.

1. The Constitution shall become effective upon ratification.

Revised: September, 1999
October, 2002

Hemet Teachers Association

BYLAWS

ARTICLE I

Duties of Officers.

- A. The duties of the **PRESIDENT** shall be:
1. To preside at all meetings of the Association, the Representative Council and the Executive Board.
 2. To serve as an ex-officio member and coordinator of all committees.
 3. To appoint the chairpersons of negotiation and grievance committees, and of all standing and special committees, after consultation with the Executive Board, subject to the approval of the Representative Council.
 4. To be the official spokesperson of the Association.
 5. To appoint an auditor, with Representative Council approval, by the June meeting, to examine the financial records of the Association, ready for approval by the Representative Council by the October meeting.
 6. To disburse funds of the Association in the absence of the Treasurer, in accordance with procedures established by the Representative Council.
 7. To perform other duties as may be directed by the Executive Board, the Representative Council, or this Constitution and Bylaws.
 8. Sign and date Association minutes when approved.
 9. To attend San Gorgonio and CTA meetings and workshops as appropriate.
- B. The duties of the **VICE-PRESIDENT** shall be:
1. Serve as assistant to the President in all duties of the President.
 2. To assume the duties of the PRESIDENT in his/her absence, and to succeed to that office for the remainder of the term when needed.
 3. To serve as an ex-officio member of all committees.
 4. To perform other duties as may be directed by the President, the Executive Board, or the Representative Council.
 5. To observe and monitor the Association newsletter and website.
 6. To attend San Gorgonio and CTA meetings and workshops as appropriate.
 7. To be responsible for the formation and distribution of the Association's calendar of activities.
- C. The duties of the **2nd VICE PRESIDENT** shall be:
1. To serve as chair of any Courtesy and Social or related committees.
 2. To assist the Vice President with liaison work to HTA committees as directed by Executive Board.
 3. To be responsible for the organization of all social functions.
 4. To assume the duties of the President in the absence of the President and the Vice-President at Association meetings.
 5. To perform other duties as may be directed by the President, the Executive Board, or the Representative Council.
 6. To attend San Gorgonio and CTA meetings and workshops as appropriate.

- D. The duties of the **SECRETARY** shall be:
1. To keep minutes of the proceedings of the Representative Council, the Executive Board, and all general meetings. The minutes shall be open to the inspection of any member of the Association. The SECRETARY shall sign and date the minutes.
 2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members and take attendance at each meeting.
 3. To maintain records of the Association.
 4. To maintain a record of all elected and appointed representatives and committee members and their terms of office.
 5. To secure a list of all certificated employees and their assignments from the District at the beginning of each school year, and to keep the list current.
 6. To perform other duties as may be directed by the President, the Executive Board, or the Representative Council.
 7. To attend San Gorgonio and CTA meetings and workshops as appropriate.
- E. The duties of the **TREASURER** shall be:
1. To supervise and maintain detailed records of all receipts and expenditures of the Association and to present this information in monthly financial reports to the Representative Council.
 2. To collect and deposit in a financial institution designated by the Representative Council, all funds of the Association.
 3. To disburse funds of the Association in accordance with the policies and procedures established by the Representative Council.
 4. To prepare a budget for the ensuing year in consultation with the Executive Board. The recommended budget shall be discussed at the April meeting of the Representative Council and presented for final adoption at the June meeting of the Representative Council.
 5. To prepare for the annual audit of the accounts of the Association by August 31 and present the results by the October Representative Council meeting.
 6. To perform other duties as may be directed by the President, the Executive Board or the Representative Council.
 7. To attend San Gorgonio and CTA meetings and workshops as appropriate.
 8. To submit membership and financial reports to CTA, NEA and other agencies as required by law.
 9. To maintain a current roster of Association members and fee payers.

ARTICLE II

The Executive Board.

- A. The Executive Board shall meet once a month. Special meetings may be called by the President or three members, provided all members are notified.
- B. Minutes of the meetings of the Executive Board shall be taken and shall be available at meetings of the Representative Council.
- C. The duties of the Executive Board shall be to:
 1. Coordinate and be responsible for the work of the Association.
 2. Direct the bargaining activities and grievance processing of the Association, subject to approval or policies of the Representative Council.

3. Appoint and remove bargaining team members and grievance board members, subject to approval by the Representative Council.
 4. Recommend a budget for the Association to the Representative Council.
 5. Recommend committee members for Representative Council approval.
 6. Submit agenda items for meetings and calendar items for planning.
 7. Exercise all business and organizational powers and duties for the Association as prescribed by law and these Bylaws, subject to approval by the Representative Council.
- D. A quorum for Executive Board meetings shall consist of a majority of the board members of that body.
- 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.

ARTICLE III

Representative Council.

- A. The Representative Council shall be the governing body of the Hemet Teachers Association and be comprised of those members listed in the constitution, Article VIII, 2, 3 and 4.
- B. Qualifications:
1. Each school shall be considered as a unit for purposes of representation. Members not assigned to a single unit shall comprise a unit for purposes of representation.
 2. Each unit shall elect one (1) representative for each twenty five (25) Association members or major fraction thereof, with each unit entitled to at least one (1) Representative.
- C. Election of Site Representatives/Alternates:
1. The Executive Board shall call for secret ballot elections at the April Representative Council meeting. Voting shall take place on site during the month of May. The elected Representatives and alternates shall take office at the June Representative Council meeting.
 2. The election chair shall distribute membership rosters to each school site by the end of April.
- D. The term of office of the Representatives and Alternates shall be two years.
- E. Alternates:
1. A Site Representative who will be absent from a Council meeting should send an Alternate.
 2. An Alternate must have all the qualifications of a regular Representative.
 3. Each Alternate assumes the rights and responsibilities of membership of the Representative Council for the duration of the absence.
- F. Vacancies:
1. A vacancy shall be declared when any Representative is absent from three (3) consecutive meetings of the Representative Council (excluding special meetings) within a school year without an Alternate.
 2. Site Representatives elected to an Executive Board Office shall relinquish their position as Site Representative.

3. Vacancies of Site Representatives shall be filled immediately by the units they represent, following an appropriate election procedure.

G. Meetings:

1. The Representative Council should meet each month of a school year at a time set by the Executive Board. Special meetings of the Council may be called by the President, the Executive Board, or a petition of 20% of the members of the Representative Council.
2. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.
3. The June meeting of the Representative Council shall be held jointly with continuing and newly elected members of the Representative Council.
4. A majority of the active members of the Representative Council shall constitute a quorum.

H. Duties of the Representative Council:

1. To serve as the legislative and policy-making body of the Association.
2. To consider all matters that may be presented relative to the welfare of the teachers, to the teaching profession, and to the improvement of education.
3. To adopt an annual budget and to approve expenditures of any monies not included in the budget.
4. To perform such other duties as may be required in this Constitution and Bylaws.

I. Duties of Site Representatives:

1. To represent their constituents in all actions of the Representative Council.
2. To report all actions of the Council to the members they represent.
3. To exercise their considered judgment on matters of immediate action in the council.
4. To function as a liaison between the legislative and policy-making body and the general membership.
5. To aid in the Association's program for the orientation of new teachers.
6. To distribute all local, state, and national materials to the members they represent.
7. To promote active participation of their site members in the Association programs.
8. To act as consultants to members having professional problems by helping them get information or by directing them to the source where help may be obtained.
9. To perform other duties as deemed necessary by the Council.

ARTICLE IV

Elected Representatives.

A. The duties of the San Gorgonio Service Center Council Representative shall be:

1. To attend meetings of the San Gorgonio Service Center Council.
2. To keep the Executive Board and Representative Council informed concerning the actions of the San Gorgonio Service Center Council.
3. To serve as an ex-officio member of the Representative Council.
4. To serve a two-year term and be elected by the Representative Council.

B. The duties of the CTA State Council Representative shall be:

1. As prescribed by CTA.
2. To keep the Executive Board and Representative Council informed concerning

3. the actions of CTA.
3. To serve as an ex-officio member without vote, of the Representative Council.
- C. The duties of a delegate to the NEA Representative Assembly shall be:
 1. As prescribed by CTA/NEA.
 2. To keep the Executive Board and Representative Council informed concerning the actions of NEA.
 3. To serve as an ex-officio member with vote, of the Representative Council.
 4. The term of the NEA delegate shall be one year.

ARTICLE V

Meetings.

- A. Meetings of the Executive Board shall be held as set forth in Article II, A, of these Bylaws.
- B. Meetings of the Representative Council shall be held as set forth in Article III, H, of these Bylaws.
- C. General meetings of the Association, shall be held at the call of the President, the Executive Board, or by petition bearing signatures of 10% of the membership.

ARTICLE VI

Committees.

- A. A record shall be kept of all committee meetings and a copy provided to the Secretary of the Association at the completion of the committee's work.
- B. Each committee chair shall submit a written report to the Representative Council annually.
- C. The Negotiations Committee:
 1. The Chair of the Negotiations Committee shall be appointed by the President after consultation with the Executive Board, subject to the approval of the Representative Council.
 2. The Chair may suggest committee members to the Executive Board. Appointments of committee members shall be made by the Executive Board, subject to the approval of the Representative Council
 3. Members of the Bargaining Team may be removed with a majority vote of the Executive Board.
 4. The official position of the Association in any matter is established by the Representative Council. The Negotiations Committee may initiate negotiations only on matters that the Representative Council has directed in writing.
 - a. Agreements reached between the Negotiations Committee and the District shall be considered tentative until such agreement has been ratified by the general membership.
 - i) Representative Council shall review the tentative agreement. The Representative Council may reject the tentative agreement and send it back to the Negotiations Committee or send it to the general membership with or without recommendation to ratify. The decision to ratify or reject the tentative agreement shall be determined by a majority of ballots cast by the members present at a general meeting. All off track teachers at year-round schools will be notified of general meetings by Site Reps.

- ii) Three (3) days prior to the general meeting, a written statement summarizing all contract changes shall be distributed to each member. In the event of pending or existing job action, the three (3) day requirement will be waived. However, ample time will be given to read the tentative agreement.
- iii) All Amendments or side letters to the negotiation process shall be ratified or rejected by the Representative Council.
- iv) The Negotiations Committee shall report its activities to the Executive Board in such form and with such frequency as the Board may require. The Board shall provide for appropriate dissemination of information to the Representative Council and/or the general membership.
- v) The Chair of the Negotiations Committee, upon consensus of committee members, may utilize such unpaid consultants as necessary. Negotiations Committee expenses must receive approval from the Representative Council if they exceed the Negotiations Committee's budget.

D. The Grievance Committee:

1. The Grievance Committee shall consist of the Grievance Chair, three (3) Grievance Board members, and all Grievance Representatives.
2. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
3. Every site shall have one (1) Grievance Representative for every thirty (30) teachers or major fraction thereof, with each site entitled to at least one (1) Representative.
4. Grievance Representatives shall be selected by members on site for two (2) year terms.
5. The duties of the Grievance Representatives shall be:
 - a. To advise members in grievance processing at levels I and II.
 - b. To disseminate information at school sites.
 - c. To provide grievance forms, resources, and maintain records.
 - d. To act as teacher advocates and take an active role in surfacing grievances.
 - e. To attend HTA and CTA grievance workshops as appropriate.
6. Members of the Grievance Board shall consist of a chair and three (3) members (representing elementary, middle, and secondary levels when possible, who are appointed by the President and Executive Board for two (2) year terms, subject to approval by the Representative Council. The duties of the Grievance Board shall be:
 - a. To advise and represent members in the grievance process.
 - b. To keep the Executive Board and Representative Council informed regarding grievance matters, and recommend whether to proceed to Arbitration.
 - c. To oversee a Grievance Budget.
 - d. To assist members with work problems not directly related to the grievance process.
 - e. To keep records of all grievance matters.
 - f. To attend CTA workshops and provide HTA workshops related to the training for handling grievances.
 - g. Evaluation of the Association's grievance policies and procedures.

E. The Political Action Committee (PAC):

1. The Political Action Committee shall work with the Executive Board, the Representative Council, the membership and the community toward improving the profession, the local schools, and public education through the legislative and political processes.
2. The chair shall be appointed by the President, subject to the approval of the Executive Board and the Representative Council.
3. The members shall be appointed by the Executive Board, subject to the approval of the Representative Council.
4. The duties of the committee shall be:
 - a. To perform political activities for the Association as directed by the Representative Council, including support of HTA endorsed candidates and legislation.
 - b. To organize and promote teacher participation in political activities such as fund raising, campaigning, voter registration, etc.
 - c. To disseminate information about local, state, and national political issues relating to education.
 - d. To oversee the PAC budget and assist the Association Treasurer with record keeping.

F. Other Committees:

1. Other committees shall be established as necessary by the Representative Council, or the President, or the Executive Board, such as:
 - a. Salary/Benefits – to prepare recommendations pertaining to compensation. It shall be comprised of members from elementary, middle, and secondary levels.
 - b. Curriculum and Instruction – to keep informed regarding particular developments and trends in education and to work with the District to improve curriculum, instruction learning and working conditions, and overall success of the educational program.
 - c. Membership – to coordinate the membership drive of the Association, to list members/fee payers/non members by site, to calculate membership percentages, oversee dues collection, and assist the Secretary of the Association with membership record keeping.
 - d. Courtesy and Social – to arrange for all social events of the Association, including refreshments at meetings; to promote the welfare of the members by welcoming incoming teachers, giving recognition for special and sorrowful events, and planning recognition for retirees.
 - e. Retirement – to keep members informed about the State Teachers Retirement System (STRS) and its benefits; to assist retirees and relatives of deceased members in obtaining benefits.
 - f. Publicity and Archives – to generate and publicize information about the Association, including press releases; and to compile a record of news and other articles regarding the Association.
 - g. Special Services – to study problems affecting the welfare of the profession, and make recommendations to the Representative Council on various issues.

ARTICLE VII

Elections:

A. Elections Committee.

1. There shall be an Elections Committee.
2. The Chair of the Elections Committee shall be appointed by the Executive Board.
3. The Elections Committee shall be composed of at least three (3) members who are not on the Executive Board.
4. The members of the Elections Committee shall be approved by the Representative Council.
5. A member shall abstain from participation in Elections Committee activities during the period in which she/he or her/his their immediate family is a candidate.
6. The duties of the Elections Committee shall be to:
 - a. Ensure that all chapter/CTA/NEA elections codes and timelines are followed.
 - b. Establish timelines for all CTA/NEA/HTA elections.
 - c. Develop and carry out timelines and procedures.
 - d. Prepare ballots for election of officers and such other elections as may be necessary.
 - e. Hold the elections of Executive Board members in March so that the new Executive Board members shall be able to attend meetings and become familiar with the issues of the Hemet Teachers Association.
 - f. Count the ballots and certify the results.
 - g. Handle initial challenges.

B. Nominations.

1. Elections shall be conducted with:
 - a. Open nomination procedure
 - b. Secret ballot
 - c. All member vote
 - d. Record of voters receiving or casting ballots.
 - e. Majority vote, unless otherwise specified.

C. Election Requirements.

1. All elections shall be by open nomination (i.e., any member may nominate any member, including himself or herself. Membership in the chapter is the only reasonable qualification that is required for office.
2. Every member shall be assured of voting by secret ballot.
3. There shall be at least a thirty (30) day period between notice of election and the voting.
4. There shall be an all member vote. Voting shall be conducted at each site by Site Representatives. A member who is off track shall be sent election information by mail to his/her known residence, unless prior arrangements have been made.
5. A Chapter shall provide means for all members to vote. All members shall be provided an opportunity to vote (including: vote by mail), and it shall be the responsibility of the member to notify the chapter if she/he desires a ballot at a site other than the regularly scheduled voting place.

6. There shall be no discrimination towards Active members in their right to vote, seek office, or otherwise participate in the affairs of the chapter (Local), CTA or the NEA.
7. A member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot. If a roster of members is prepared for a school site ahead of time, initials of the member may be accepted.
8. All elections shall be decided by a majority vote, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the two candidates having the highest number of votes.
9. A site rep who is a candidate for office shall not conduct any part of the said election. The site rep is responsible for finding a member to conduct said election.

D. Announcement.

1. The announcement of elections shall include the offices, length of terms, and the election timeline.
2. The announcement shall be publicized at each school site by Site Representatives in a manner that every member has an opportunity to file a declaration of candidacy form.

E. Timeline.

1. Schools on alternative calendars shall be considered when setting election timelines.
2. The timeline for the election shall include dates for:
 - i) Time, date, and place where declarations of candidacy are to be received. Literature shall include information that date is receipt date and not postmark date.
 - ii) Date for acknowledgment of declarations from candidates.
 - iii) Date for preparation of ballots.
 - iv) Date on which ballots will be distributed.
 - v) Date(s) voting will take place.
 - vi) Deadline date for requesting absentee ballot.
 - vii) Deadline date, time and place for return of ballots, including absentee ballots.
 - viii) Date, time, and place where all ballots will be counted.
 - ix) Date(s) that announcement of results will be made to Executive Board, candidates and members.
 - x) Dates and timelines for run-off election, if necessary.
 - xi) Deadline for filling challenges.

G. Finances.

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

H. Candidate's Rights.

1. Privileges extended to one candidate shall be extended to all candidates

2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
3. Each candidate shall have the right of access to a list containing the names and last known addresses of all members.
4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.
5. Each candidate shall have the right of access to member's site mailboxes.

I. Ballot.

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

J. Distribution of Ballots and Method of Voting.

1. Each member shall receive a ballot upon signing the signature sheet.
2. Voting shall be by one or a combination of the following methods:
 - i) At school site (see Appendix A).
 - ii) At specified voting site
 - iii) By mail (see Appendix B).
 - iv) By use of locked ballot box (see Appendix C).

K. Counting of Ballots.

1. Upon receipt of ballots, tally sheets and signature sheets, the Elections Committee shall count the ballots in a secure area with only the Elections committee members and observers present.
2. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
 - i) Blank ballot
 - ii) More ballots than signatures
 - iii) Ballot submitted after deadline
 - iv) Voter not a member
 - v) Voter's intent unclear
 - vi) Votes cast for more than number allowed
 - vii) Vote cast on unofficial ballot
 - viii) Vote cast for ineligible candidate
3. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
4. The elections Committee shall prepare the Final Report, recording the following information:
 - i) Total number of ballots cast
 - ii) The number of set aside ballots with an explanation for each category of ballot not counted.
 - iii) The number needed to win or pass
 - iv) The number of votes received by each candidate or issue
 - v) A notation whether the set aside votes would affect the outcome

- vi) Signature of each Elections Committee member present during the preparation of the report
- 5. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
- 6. The President shall announce the results as prescribed by the timelines.
- 7. If the votes set aside would affect the outcome of the election, the Executive Board shall decide:
 - i) To count the votes which have been set aside,
 - ii) Not to count the votes which have been set aside, or
 - iii) If the election should be conducted again.
 - iv) This item supercedes a, b, and c. If at a school, the number of ballots cast shall be greater than the number of signatures or if at a school one or more non-members shall have obtained ballots and their ballots may have been submitted, if there is no way to separate their ballots from the others, then the number of votes cast to the winner in each race at that school shall be reduced by the number of ballots in excess of signatures or by the number of illegal ballots cast. This provision is intended to protect the integrity of each school's group of voters by not invalidating all of their votes and it is intended to protect the integrity of all voters throughout the association by not allowing that school's winner to get an illegal vote. If in the overall election results the number of illegal votes cast is equal to or in excess of the difference between the top two vote getters, then the election at that site shall be conducted again.
- 8. The ballots and voter sign-up sheets shall be retained for one year after the election.

L. Observers.

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

M. Challenge Procedure.

- 1. Any member observing a violation of election procedures shall notify the chapter President and the chair of the Elections Committee, in writing, within ten (10) school days of the announcement of results. The notification must:
 - i) Specify which requirement has been violated.
 - ii) Include supporting information.
 - iii) List names of parties who can provide information.
- 2. The Elections Committee shall respond within five (5) school days after receipt of the challenge in an effort to resolve the issue. The Committee shall determine whether:
 - i) The challenge alleges a violation of a chapter election requirement;
 - ii) The challenge is supported by appropriate documentation; and
 - iii) The alleged violation may have affected the outcome of the election.
- 3. The elections Committee shall report to Executive Board on its findings and recommendations within twenty (20) school days.
- 4. The Executive Board shall make a decision on the resolution of the challenge.

5. The challenging party and all candidates in that race shall be notified of the decision of the Executive Board.
6. If the challenging party is not satisfied with the decision, he/she they may appeal the decision in writing to the CTA President within twenty (20) school days of receipt of the decision.

N. Initiative Procedures.

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

O. Referendum Procedures.

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

P. Recall Procedures.

1. The active membership shall have the authority to recall from office any person or persons holding such virtue of having been elected thereto by the chapter's active members.
2. A member shall file a notice of the intent to circulate a recall petition with the chapter President by including a copy of the petition to be circulated, and the names of at least three (3) persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding the office of President, the request shall be made to the next ranking officer.
3. The chapter President shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of sixty (60) school days shall be permitted to obtain the signatures of at least twenty-five (25) percent or more of the active members signature of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter President the petition(s) containing original signatures.
6. The chapter President shall have ten (10) school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional fifteen (15) school days in which to gather and submit the necessary signatures. The chapter President shall have five (5) school days in which to verify the membership of the additional signers.
8. The chapter President shall cause a ballot to be furnished to the members no less than twenty (20) school days after verification of membership. The period that school is officially not in session shall not be included in this count.
9. Regular election procedures shall be followed including voting times.
10. Any necessary supplementary rules governing recall that are not in conflict with the forgoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

Q. NEA Delegates.

1. Representatives shall be elected every year according to CTA guidelines. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.

R. New Officers.

1. The new officers shall be installed at the Spring Banquet. The new officers will assume their duties effective the last student contact day of the school year.

ARTICLE VIII

Dues Payment.

- A. Members may pay their dues by tenthly payroll deductions through District business office, or by making a cash payment to the Membership Chair before November 1.
- B. The annual dues of each member shall be thirty-five percent (35%) of the previous year's CTA dues rounded down to the nearest \$5.00. One dollar of the

monthly HTA dues will be deposited into the HTA/PAC account unless the member requests in writing that it go into the general fund. These deposits maybe altered by Executive Board to not exceed CTA guidelines.

- C. There shall be five classes of membership in the Association: Active, Staff, Student, Retired, and Associate. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31 of any calendar year a member has not 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 same dropped from the rolls.

ARTICLE IX

Initiative, Referendum, Recall.

- A. Members have the right of initiative and referendum on any action of the Executive Board or Representative Council
- B. A petition signed by ten percent (10%) of the membership shall be necessary to require the Executive Board to bring to the membership any initiative or referendum.
- C. Any group shall have the right to initiate recall action of any elected position by presenting a signed petition as follows:
 - 1. 20% of a site's members are needed to initiate recall against a site representative.
 - 2. 20% of the Representative Council is needed to initiate recall against the San Gorgonio Representative.
 - 3. 20% of the general membership is needed to initiate recall against an Executive Board member.
- D. Signed petitions for recall shall be submitted to the Executive Board. Action shall be taken within one month if the petitions are valid. A two-thirds (2/3) vote cast by the proper electoral group is required for recall.

ARTICLE X

Parliamentary Authority.

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

ARTICLE XI

Amending Bylaws.

- A. Proposed amendments to the Bylaws shall be filed with the Secretary of the Association and submitted to Representative Council members in writing prior to the meeting when they are to be voted upon.
- B. Two-thirds (2/3) of the votes cast shall be required to ratify amendments to the Bylaws. Such vote shall be taken at a Representative Council meeting, after a first and second reading. Change(s) become effective upon ratification.

APPENDIX A

Voting at School Site(s), Using Envelopes

When voting is conducted at school sites using envelopes, the procedure shall be as follows:

1. A list of current active members shall be prepared, which includes the following: name, school, and home address.
2. A determination shall be made before the election whether the ballots shall be sent to the school or to the home of the members.
3. The voter shall be provided with:
 - a. A ballot
 - b. Inner envelope
 - c. Outer return envelope, addressed to the chapter and,
 - d. Instructions on returning the voted ballot, including the signature.
4. At the time of counting, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.
5. The outer envelopes shall then be opened and put in a separate receptacle.
6. All inner envelopes shall be placed in a separate receptacle.
7. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

APPENDIX B

Voting by Mail Procedure

When the voting is conducted by mail, the procedure shall be as follows:

1. The mailing list shall exactly correspond to the current official roll of voting members who are not currently teaching at schools.
2. Each voter shall be provided with:
 - a. A ballot
 - b. Inner envelope
 - c. Outer return envelope, addressed to the chapter, and
 - d. Instructions on returning of the voted ballot, including the signature.
3. The ballot shall be date stamped when it is received in the chapter office and then put in a safe place until the votes are to be counted.
4. At the time of counting, the names on the outer envelope shall be checked against the official list of teachers who are off-track.
5. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
6. All inner envelopes shall be placed in a separate receptacle.
7. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

APPENDIX C

Voting at School Site(s) Using Ballot Boxes

When voting is conducted at school sites using a container (locked ballot box of), the procedure shall be as follows:

1. A list of current active members shall be prepared, which includes the name and school of each member.
2. Each voter must sign the active member roster sheet before receiving a ballot.
3. The marked ballot must be deposited into the ballot box provided by HTA in order for that ballot to be counted.
4. At the time of counting, the ballots in a site container will be counted against the number of signatures on the active member roster sheet. If the number of ballots is greater than the number of signatures on the active member roster sheet, the site ballots are illegal. The ballots will be thrown out and will not be included in the final count of the election.
5. Once the ballots and signatures have been validated, the ballots will be counted twice for accuracy by a member/members of the Elections Committee.
6. The Elections Committee will prepare the Teller's Report, recording the information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of illegal ballots with an explanation of illegality, and signed by each Elections Committee member.
7. The chairperson of the Elections Committee will deliver the report of the election results to the HTA president. The election results shall be posted at each work site as soon as possible following the election.

APPENDIX D

POLICY STATEMENT OF THE HEMET TEACHERS ASSOCIATION REGARDING THE APPLICATION FOR A SITE AGREEMENT WAIVER

HTA members need to realize that the waiver of contracted rights, for even a single member at even one site, is a serious matter and should be undertaken only with great consideration and thought to fellow members.

Any HTA member working full time at a HUSD site may apply to the Hemet Teacher's Association for a waiver(s) to the existing Collective Bargaining Agreement (CBA).

HTA site reps shall schedule a meeting date to discuss the application. Before an application can be submitted, the HTA site reps shall conduct an on site vote on the proposed waiver. Two weeks prior to the site vote, all members at said site shall be given a copy of the waiver. There shall be a separate vote on each issue proposed on a ballot. The vote shall be by secret ballot upon signing the HTA signature sheet. Votes shall be placed in the locked ballot box and counted by Executive Board. Administrators shall not be present during this scheduled meeting.

Waiver requests must be submitted to the HTA Executive Board for approval on an application form provided by the Association. The requested waiver must be specific in nature, addressing specific provisions of the CBA to be addressed and outlining the exact nature of the changes. (Any waiver that changes minutes must specifically address planning/passing time minutes and duties of members during times waived.) The waiver request must also be accompanied by certified ballot results showing a minimum 75% approval by the members of HTA at that site. Less than a 75% approval rating voids the application.

All waivers shall be for one year.

In order to insure that all parties have sufficient time to apply any changes at the beginning of any school year, the waiver process must be completed by May 15.

Any such waiver request is subject to approval of both the HTA Executive Board and HUSD before taking effect.

Copies to HTA, HUSD and Site Administration

APPENDIX D Waiver Form:

**Hemet Teachers Association
HUSD SITE REQUEST FOR WAIVERS TO THE
COLLECTIVE BARGAINING AGREEMENT (CBA)**

A minimum of **75 percent** of the certificated employees assigned to work at

_____ School hereby make application to the Hemet Teachers Association Executive Board for waiver of one or more specific provisions of the CBA in effect between the Association and HUSD.

- I. Specify the exact provisions of the current CBA that are being proposed for waiver in this application:

- II. Specifically what practices are proposed to be in effect, in place of the proposed wavered provisions of the CBA, during the term of the requested waiver?

- III. Have the necessary documents certifying support of no less than 75 percent of the CBUM's assigned to this site been submitted with this waiver application?

Circle one answer: YES NO

DATE: _____

WAIVER REQUEST SUBMITTED BY:

HTA Faculty Representative

Name of School Submitting Waiver Request

Date of Waiver Request

Date Waiver Request was Delivered to Hemet Teachers Association Executive Board for Processing

Copies to HTA, HUSD and Site Administration.

**Hemet Teachers Association
CONSTITUTION / BYLAWS
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