

BYLAWS

California Virtual Educators United/CTA/NEA

I. NAME AND LOCATION

- A. The official name of this Association shall be the California Virtual Educators United/CTA/NEA in the state of California.

II. PURPOSES

- A. The primary purpose of this association shall be:
 - 1. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
 - 2. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
 - 3. To provide an opportunity for continuous study and action on problems of the profession;
 - 4. To promote cooperation and communication between education support professionals and certificated educators;
 - 5. To provide a means of representation for its ethnic-minority members;
 - 6. To promote professional attitudes and ethical conduct among members;
 - 7. To encourage cooperation and communication between the profession and the community; and
 - 8. To foster good fellowship among members.

III. AFFILIATION WITH CTA/NEA

- A. California Virtual Educators United shall be a chartered chapter of the California Teachers Association (CTA).
- B. California Virtual Educators United shall be an affiliate local association of the National Education Association (NEA).

IV. MEMBERSHIP

- A. The primary category of membership shall be Active members.

- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of California Virtual Academies or Insight Schools of California, and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- E. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Unit Members.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.
- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. The membership year shall be that period of time from August 1 of any given calendar year through July 31 of the following calendar year, inclusive.

V. DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, shall be sufficient to cover the operation expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues shall be established by action of the Representative Council of the Association at the first regular meeting of the school year.
- C. Membership shall be continuous after initial enrollment until a change in professional status shall make the member ineligible for membership.
- D. Active members may choose to revoke their membership by completing the following steps in order per [SB-866](#)
 - 1. Notifying the CVEU president at any time throughout the year with a written and signed letter via mail;
 - 2. The Active member must complete the mandatory live (by phone, webchat, in-person, etc.) exit interview within 15 days with the CVEU president;

3. Following the exit interview, Active members must send a written letter via mail to CTA not less than thirty (30) days and not more than sixty (60) days before the annual anniversary date of this agreement; their employment with the Employer ends; or as otherwise required by law;
4. Dropped members are required to continue paying dues until their annual signature date.

VI. POLICY-MAKING BODY

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, composed of Active members of the Association, derives its powers from and shall be responsible to the Active membership.
- B. The Representative Council shall be composed of the following Active members:
 1. Voting members of the Executive Board;
 2. Lead Representatives elected on the basis of one-person one-vote;
 3. Supporting Representatives appointed to open positions by the Rep Liaison.
- C. The Representative Council shall:
 1. Establish Association policies and objectives;
 2. Adopt the annual budget of the Association on or before the first meeting of the school year;
 3. Approve the establishment or discontinuance of committees recommended by the Executive Board;
 4. Approve the dues of the Association as recommended by fiscal committee;
 5. The Representative Council shall meet at least once during each school month; the number, time of meetings to be decided by the Executive Board;
 6. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the Active membership;
 7. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted;
 8. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) days prior to the date of the meeting;
 9. 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;
 10. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

VII. REPRESENTATIVES

- A. Lead Representatives shall be elected by and from the Active membership for each faculty group. Such elections shall be by open nominations and by secret ballot.
- B. Lead Representatives shall serve a term of 2 years.
- C. Lead Representatives shall be by region, North, Central, South. In the case that a Lead Representative from a certain region is not available, a Representative from another region may assume responsibilities for a region outside of their hiring location.
- D. CVEU's goal is that each faculty group shall be entitled to a representative equal to at most a 1:30 ratio (1 rep:30 Active members). Any group with less than 30 Active members will receive one rep.
 1. General Education Teachers and Academic Advisors shall be represented by one union representative by job title (content).
 2. Special Education Teachers shall be represented by one union representative under each grade level of elementary school, middle school, and high school and/or by department.
 3. Guidance Counselors, Freshman Support Teachers, Adaptive P.E. Teachers, Speech and Language Pathologists, Occupational Therapist, School Psychologists, 504 Coordinators, and English Language Development Teachers shall be represented by one union representative per sub group.
 4. Active members who are not represented through an individual school group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies: Vacancies in the office of Lead Representative for whatever cause may be filled by Representative Council quorum at the Rep Council meeting that follows a nomination(s) of said vacancy. The appointed rep will follow the same term as the vacancy they are filling.
- F. Representatives shall:
 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty/site unit;
 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members;
 3. Represent the views and input of the Active membership in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
 4. Perform such additional duties as prescribed by the Executive Board.
 5. Attended monthly rep council meeting(s)
 6. Verbally contact active membership on a quarterly basis either in person or over the phone.

G. Lead Representatives shall:

1. Conduct ongoing liaison with Representatives.
2. Attend monthly Lead Representative meeting and monthly Representative Council meeting.
3. Support Representatives in disciplinary meetings.
4. Host appointed Representative Council meeting.
5. Speak at CAVA/Insight virtual and/or in-person events.

VIII. OFFICERS

- A. The officers of the Association shall be President, Vice-President, Secretary, Treasurer, Representative Council Liaison, Membership Liaison, and Insight Liaison.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the Active membership of the Association. Such elections shall be by open nominations and secret ballot.
- D. Officers shall be elected for a term of 2 year(s), commencing on the last day of the school calendar year.
- E. A vacancy shall be deemed to exist in the case of 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, vacancy may be filled by Representative Council quorum at the Rep council meeting that follows a nomination(s) of said vacancy. The appointed officer will follow the same term as the vacancy they are filling.
- F. The President shall be the chief executive officer of the Association and its policy leader.
- G. If possible the closest Executive Board member shall attend Service Center meetings that the Association is a part of.

H. The President shall:

1. Preside at all meetings of the Association, the Representative Council and Executive Board;
2. Prepare the agenda for Executive Board meeting and approve agenda for meetings of the Association and the Representative Council;
3. Be the official spokesperson for the Association;
4. Be familiar with the governance documents of the Association, CTA, and NEA;

5. Coordinator of Bargaining Committee and may be committee chair or nominate committee chair to be approved by the executive board.
6. Call meetings of the Association, Representative Council and the Executive Board;
7. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
8. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
9. Attend meetings Service Center meetings; and
10. Attend other CTA/NEA meetings as directed by the Representative Council.

I. The Vice-President shall:

1. Serve as assistant to the President in all duties of the President;
2. Assume the duties of the President in the absence of the President;
3. Be responsible for the formation and distribution of the Association's calendar of activities;
4. Coordinator of Grievance Committee and may be committee chair or nominate committee chair to be approved by the executive board;
5. Leads Unit member meetings and proposes agenda and facilitates Association meetings (Member Meetings);

a) Association meetings (Member Meetings) will be held at least four times a year

J. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board; and to the membership when appropriate;
3. Keep an accurate roster of all committees;
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President;
5. Coordinator of Communication Committee and may be committee chair or nominate committee chair to be approved by the executive board;
6. Maintain Association records (Bylaws, standing rules)

K. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President;
3. Provide a written financial report for each regular meeting of the Representative Council and Executive Board;
4. Be responsible for an annual audit (as required by CTA/NEA) of the books of the Association and distributing a summary of this audit to the membership;
5. Coordinator of Fiscal Committees and may be committee chair or nominate committee chair to be approved by the executive board;
6. Process reimbursement for Association members;
7. Provide financial report for all Active Members at the beginning and end of the school year;
8. Provide budget to be approved by the Representative Council at the first meeting of the school year;
9. Coordinate dues and necessary administration as outlined in the CBA.

L. Representative Council Liaison shall:

1. Work to ensure that school rep positions are filled with active members;
2. Work with representatives to survey members at least once a year to identify issues that deserve attention in order to improve working and learning conditions at the school and report back to the full rep council;
3. Maintain a current list of Association Lead Representatives and ensure they are communicating with their respective Representatives;
4. Coordinator for Representative Council Meeting to be held at least once a month;
5. Coordinate Representative Council trainings;
6. Coordinate Representative Council in person meeting to be held at least once a year;
7. Coordinate Lead Rep Council Agenda with Lead Representatives monthly.

M. The Membership Liaison shall:

1. Oversee the new hire process as it pertains to the union, including attending new hire orientations as CVEU representative;
2. Maintain active member list in conjunction with Human Resources, CTA and Association;
3. Process and maintain records of all CTA enrollment paperwork;
4. Establish procedures for contacting non-members and develop strategies to encourage membership;

5. Coordinator of Member Outreach Committee and may be committee chair or nominate committee chair to be approved by the executive board;
6. Support the organizing goals of the association with the membership through training, workshops and other activities;

N. Insight Liaison shall:

1. Update Executive Board on Insight progress at each Executive Board meeting, Association Meeting, and Representative Council meeting;
2. Work directly with the Insight bargaining team and provide reports and updates to Executive Board and Representative Council;
3. Receive notification of possible grievances from the Lead Representative and communicate grievances as necessary to the Executive Board and the Grievance Committee.

IX. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers, and shall include members elected from and by the Representative Council as long as this complies with the “one-person – one-vote” rule.
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The Executive Board shall meet prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- D. The Executive Board shall meet in person at least once per school year;
- E. The duties and the responsibilities of the Executive Board are:
 1. Coordinate the activities of the Association;
 2. Act for the Representative Council when school is not in session;
 3. Direct the bargaining activities of the Association, subject to policies established by the Representative Council;
 4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
 5. Recommend a budget for the Association to the Representative Council;
 6. Approve by majority vote all appointment and removal of committee members, including chairpersons;
 7. Adopt the local Standing Rules for the Association;
 8. Adopt grievance and fiscal procedure;
 9. Direct the grievance activities of the Association;

10. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council.
11. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body

X. MEETINGS OF THE GENERAL MEMBERSHIP:

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

XI. BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be appointed by the President and Bargaining Chair and approved by the Executive Board and bargaining committee.
- D. The Executive Board, by a two thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the Representative Council. The Executive Board is distinct from the Bargaining Team.
- F. Employees shall be surveyed to determine the contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by the Representative Council in that unit.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- I. The Bargaining Team must approve all tentative agreements made with the district through the Executive Board and Bargaining Chair before they may

approve a tentative agreement. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

XII. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
 - 1. Provide initial representation to assist all members of the bargaining unit(s) in processing informal grievances;
 - 2. All formal grievances are to be approved by Grievance Chair and Executive Board;
 - 3. Training for handling grievances; and
 - 4. Evaluation of the Association's grievance policies and procedures.

XIII. NOMINATIONS AND ELECTIONS

- A. The Chapter shall follow and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the *CTA Elections Manual*.
- B. The chapter president must provide all Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held.
- C. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. The duties of the Elections Committee shall be to:
 - 1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
 - 2. Establish election timelines;
 - 3. Develop and carry out timelines and procedures;
 - 4. Prepare ballots for election of officers and such other elections as may be necessary;
 - 5. Count the ballots and certify the results; and
 - 6. Handle initial challenges.
- D. Elections shall be conducted with:
 - 1. Open nomination procedure;
 - 2. Secret ballot;
 - 3. All Active member vote;
 - 4. Record of voters receiving or casting ballots; and
 - 5. Majority vote, unless otherwise specified.

- E. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or Service Center Council has been notified to do so by the CTA Elections and Credentials Committee.
- F. NEA State Delegate elections shall be conducted in accordance with CTA/NEA rules.
- G. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.

XIV. COMMITTEES

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

XV. PARLIAMENTARY AUTHORITY

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

XVI. AMENDMENTS

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