

UPLAND TEACHERS ASSOCIATION BYLAWS & STANDING RULES

ARTICLE 1: NAME AND AFFILIATION

- 1.1 The name of this organization shall be the Upland Teachers Association (UTA)/CTA/NEA in San Bernardino County.
- 1.2 The Upland Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).
- 1.3 The Upland Teachers Association shall be an affiliated local association of the National Education Association (NEA).

ARTICLE 2: RESPONSIBILITY AND PURPOSE

- 2.1 The Association recognizes and reaffirms its obligation as the exclusive representative and shall fairly represent each and every employee covered by the agreement between the Association and the Upland Unified School District.
- 2.2 The primary purposes of the Upland Teachers Association shall be to:
 - 2.2.1 Represent its members in their relations with their employer, and to serve as the exclusive representative 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.
 - 2.2.2 Develop, negotiate and maintain the Master Contract.
 - 2.2.3 Encourage cooperation between teachers, administration, classified and confidential employees, Board of Trustees, and the community.
 - 2.2.4 Form a representative body able to speak with authority on professional matters for all unit members.
 - 2.2.5 Provide an opportunity for continuous study and action on the issues of the profession.
 - 2.2.6 Promote professional attitudes and ethical conduct among members.
 - 2.2.7 Raise the standards of the teaching profession.
 - 2.2.8 Advance the general welfare and morale of all unit members.

- 2.2.9 Serve as the vehicle through which the membership can develop written policies, programs, and legislative goals for the best possible conditions of educational service within the Upland Unified School District.
- 2.2.10 Foster good fellowship among members.
- 2.2.11 Provide a means of representation for ethnic-minority members.

ARTICLE 3: MEMBERSHIP

3.1 Qualifications

- 3.1.1 The primary category of membership shall be active members. Active membership shall be open to any person who is engaged in or on limited leave of absence from professional educational work, is an employee of the Upland Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit. All members of the certificated bargaining unit as specified in the recognition article of the Master Contract may become members of the Upland Teachers Association upon payment of annual dues or initiation of payroll deduction.
- 3.1.2 Members of the Upland Teachers Association shall be members of the California Teachers Association and the National Education Association through payment of annual UTA/CTA/NEA_dues.
- 3.1.3 Any person who is currently serving as a representative for a public school employer in negotiations with representatives of certificated employee organizations shall not be eligible for active membership in the Association.
- 3.1.4 Rights and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, religion, national origin or sexual orientation.
- 3.1.5 All active members shall be entitled to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights and receive reports and publications of the Association.
- 3.1.6 The membership year shall be September 1 through August 31 of the following calendar year.
- 3.1.7 Members may not be disciplined without a due process hearing, which shall include the established appellate procedure. Due process includes the right to select representation, to present evidence on his or her behalf, to confront and cross-examine his or her accuser, and any other witnesses against him or 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.

- 3.2 Rights - Members in good standing shall be entitled to:
 - 3.2.1 Vote on all matters submitted to the general membership.
 - 3.2.2 Hold elective office or appointed positions.
 - 3.2.3 Be present at meetings in which business of the Association is to be transacted.
 - 3.2.4 Present matters of individual concern to the Representative Council.
- 3.3 Responsibilities - Members of the Association shall conform to the Code of Ethics of the Education Profession.
- 3.4 Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.
- 3.5 Meetings
 - 3.5.1 A meeting of the general membership shall be held prior to the first day of school in the fall.
 - 3.5.2 Special meetings of the Association may be called by the President, the Board of Directors, or by written petition of 20% of the active membership.
 - 3.5.3 Notices of the Association meetings including date, place, time and purpose shall be made available to all members of the Association at least two days before the meeting, except during crisis situations.
 - 3.5.4 Emergency meetings during crisis situations may be called by the Board of Directors and they shall adopt procedures to notify the Association membership of meeting dates, places, and times.
 - 3.5.5 Minutes of the meetings of the general membership shall be posted at each site.
 - 3.5.6 A quorum for meetings of the general membership shall consist of a majority of Association members present. A quorum is necessary for all general membership actions and recommendations.

ARTICLE 4: DUES

- 4.1 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 operation expenses of UTA, the dues of CTA, and the dues of NEA.

- 4.2 The annual UTA dues, and the representation fee for non-members shall be established by action of the Representative Council.
- 4.3 Annual dues may increase by the same percentage as the Upland Teachers Salary Schedule increases. The Representative Council may authorize this percentage or a lesser amount prior to the first payroll deduction, but any increase beyond this percentage must be voted on by the general membership.
- 4.4 The Association shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full United Teaching Profession dues.
- 4.5 Annual dues of the Association shall be announced by the Board of Directors upon ratification of the Contract by the Association and Board of Trustees.
 - 4.5.1 Those members employed more than 60% shall pay full dues of the Association.
 - 4.5.2 Those members employed 60% or less shall pay one-half dues of the Association.
- 4.6 Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

ARTICLE 5: EXECUTIVE OFFICERS

5.1 Composition

The Executive Officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer. The Executive Officers shall be members of the Board of Directors.

5.2 Terms and Qualifications

- 5.2.1 The Executive Officers shall be elected by the members annually. They shall be designated as Executive Officers-elect and they shall assume the responsibilities of their respective offices effective the first day of service the following school year. Executive Officers-elect shall attend meetings as non-voting members until they assume office.
- 5.2.2 Election of Executive Officers from the active membership of the Association shall be by secret ballot following an open nomination process.
- 5.2.3 A vacancy in an elective office shall be deemed to exist in the case of death, resignation, recall, inability to serve, an absence from more than three meetings of

the Board of Directors or the Representative Council without proper cause during any elected term of office, or leaving the employment of the District.

5.2.4 Vacancies in elective offices shall be filled by special election except for a vacated Presidency, which shall be filled by the Vice-President.

5.2.5 Executive Officers shall be and remain members in good standing of UTA/CTA/NEA.

5.3 Powers and Duties

5.3.1 The President shall:

5.3.1.1 Be the chief executive officer of the Association and its policy leader.

5.3.1.2 Call meetings of the Association and the Board of Directors.

5.3.1.3 Preside at all meetings of the Association, Representative Council, and Board of Directors.

5.3.1.4 Prepare agendas for meetings of the Association, Representative Council, and Board of Directors.

5.3.1.5 Appoint a parliamentarian for meetings of the Association, Representative Council, and Board of Directors.

5.3.1.6 Schedule meetings of the general membership during the year with the advice of the Board of Directors.

5.3.1.7 Call special meetings of the general membership as needed.

5.3.1.8 Appoint and replace chairpersons of standing and ad hoc committees, subject to the approval of the Board of Directors.

5.3.1.9 Appoint and replace members of District committees and Association standing and ad hoc committees, subject to the approval of the Board of Directors.

5.3.1.10 Appoint all members and the chairperson of the Contract Preparation and Negotiations Committee with the concurrence of the Board of Directors as per the Bylaws and Standing Rules of the Association.

5.3.1.11 Establish ad hoc committees as needed.

5.3.1.12 Serve as ex-officio member of all committees, except as otherwise provided in the Standing Rules.

- 5.3.1.13 Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association.
- 5.3.1.14 Be the official spokesperson for the Association.
- 5.3.1.15 Act as liaison and representative in all matters dealing with the Board of Trustees, administration, community and CTA/NEA.
- 5.3.1.16 Attend meetings of the Upland Unified School District Board of Trustees.
- 5.3.1.17 Be familiar with the governance documents of UTA, CTA and NEA.
- 5.3.1.18 Attend CTA/NEA meetings and other meetings as required, or appoint other Executive Officers or members to attend the meetings.
- 5.3.1.19 Attend meetings of the appropriate Service Center Council.
- 5.3.1.20 Be responsible for the progress and work of the Association.
- 5.3.1.21 Appoint an auditor with the advice of the Board of Directors.
- 5.3.1.22 Be one of three individuals to co-sign checks drawn on Association funds.
- 5.3.1.23 Propose the procedures for grievance processing for ratification by the Board of Directors and the Representative Council.
- 5.3.1.24 Make recommendations to the Board of Directors for hiring and terminating office employees.
- 5.3.1.25 Supervise and evaluate the office employees.
- 5.3.1.26 Oversee the Association's membership program and the orientation of new certificated employees.
- 5.3.1.27 Perform such other duties as may be directed by the Board of Directors or the Representative Council.
 - 5.3.1.27.1 As directed by the Board of Directors, the Association shall pay the costs incurred by the President (or designee) to attend retirement dinners.

5.3.2 The Vice President shall:

- 5.3.2.1 Serve as assistant to the President in all duties of the President.

- 5.3.2.2 Assume the duties of the President in his or her absence or in the event of the death, resignation or removal from office of the President, and shall succeed to that office for the remainder of the President's unexpired term.
 - 5.3.2.3 Attend meetings of the Upland Unified School District Board of Trustees.
 - 5.3.2.4 Act as coordinator of Association's calendar, committee activities, committee chairpersons, and Representatives at the direction of the President.
 - 5.3.2.5 Serve as an ex-officio member of all committees, except as otherwise provided in the Standing Rules.
 - 5.3.2.6 Assist the President in evaluation of the office employees.
 - 5.3.2.7 Be one of three individuals to co-sign checks drawn on Association funds.
 - 5.3.2.8 Perform such other duties as may be directed by the President, Board of Directors or Representative Council.
- 5.3.3 The Secretary shall:
- 5.3.3.1 Keep a careful and accurate record of the proceedings of meetings of the Association, Representative Council, and Board of Directors, including regular and special meetings. Such records are to be open to the inspection of any member of the Association.
 - 5.3.3.2 Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members of the Representative Council and Board of Directors, and to the membership when appropriate.
 - 5.3.3.3 Maintain or cause to be maintained an accurate roster of the Association membership.
 - 5.3.3.4 Maintain or cause to be maintained a record of all elected and appointed Representatives and committee members and their respective terms of office.
 - 5.3.3.5 Provide official correspondence on behalf of the Association, as directed by the President.
 - 5.3.3.6 Assume the duties of the President in the absence of the President and Vice-President.
 - 5.3.3.7 Perform such other duties as may be directed by the President, Board of Directors or Representative Council.

5.3.4 The Treasurer shall:

- 5.3.4.1 Supervise and cause to be maintained a detailed record of all receipts and expenditures of the Association, and shall present this information along with a written report on the financial status of the Association in a monthly financial report to the Representative Council and Board of Directors.
- 5.3.4.2 Receive and be responsible for the deposit of all Association funds in a financial institution designated by the Board of Directors.
- 5.3.4.3 Issue and be one of three individuals to co-sign checks drawn on Association funds in accordance with policies and procedures of the Representative Council and Board of Directors.
- 5.3.4.4 Reconcile the bank statements monthly.
- 5.3.4.5 Chair the Budget Standing Committee.
- 5.3.4.6 Prepare and present the proposed budget for the ensuing year at the April meetings of the Board of Directors and Representative Council and to present the final budget for adoption at the June meeting of the Board and Representative Council. The fiscal year of the Association shall be September 1 to August 31.
- 5.3.4.7 Prepare for the annual audit of Association accounts during the month of October, and provide a summary of this audit to the membership.
- 5.3.4.8 Direct the office secretary in the preparation of financial reports for CTA, NEA, PERB, taxes and other agencies as required by law. The Treasurer shall submit all reports.
- 5.3.4.9 Assume the duties of President in the absence of the President, Vice-President, and Secretary.
- 5.3.4.10 Perform such other duties as may be directed by the President, Board of Directors, or the Representative Council.

5.4 Meetings

- 5.4.1 At least seven regular meetings shall be held by the Executive Officers with the Board of Directors each year.
- 5.4.2 Special meetings of the Executive Officers with the Board of Directors may be called by the President.

- 5.4.3 The Executive Officers with the Board of Directors shall meet at least five days prior to any regularly scheduled meeting of the Representative Council for the purpose of preparing an agenda for the Representative Council meeting. Each member of the Representative Council shall be sent a copy of this agenda during the week prior to the Council's meeting.
- 5.4.4 Executive Officers shall attend all regularly scheduled and special meetings unless excused by the President of the Association.
- 5.4.5 Minutes of the meetings of the Executive Officers with the Board of Directors shall be sent to all members of the Board of Directors all members of the Representative Council, and one to each site for posting during the week prior to the next meeting of the Council.
- 5.4.6 A quorum for regularly scheduled meetings of the Executive Officers with the Board of Directors shall consist of a majority of the members of the Board of Directors. A quorum is necessary for all actions and recommendations by the Executive Officers with the Board of Directors. Each Executive Officer and Board of Director shall be entitled to one vote. An Executive Officer shall not be permitted to exercise the right to vote or any other power and duty of office through a proxy or alternate.

5.5 Mileage

The Association shall pay mileage for travel by Association Executive Officers on Association business at the rate allowable by the Internal Revenue Service.

ARTICLE 6: BOARD OF DIRECTORS

6.1 Composition

- 6.1.1 There shall be a Board of Directors composed of the elected Executive Officers of the Association, one elected Director from each K-8 school site, one elected Director from the continuation high school, two elected Directors from the comprehensive high school and one elected Director representing unit members who work out of the District Office site and/or travel to more than one school site.
- 6.1.2 The CTA State Council Representatives and immediate Past President of the Association shall be ex-officio non-voting members of the Board of Directors.

6.2 Terms and Qualifications

- 6.2.1 The Board of Directors shall be elected by the members annually. They shall be designated as Board Members elect and they shall assume the responsibilities of their respective offices effective the first day of July following their election.

Members-elect of the Board of Directors shall attend meetings as non-voting members until they assume office.

- 6.2.2 All members of the Board of Directors shall be and remain currently active members of UTA/CTA/NEA as a condition for nomination to and service in this position.
- 6.2.3 Election of the Board of Directors shall be by secret ballot following an open nomination process for all Board of Director candidates.
- 6.2.4 A vacancy on the Board of Directors shall be deemed to exist in the case of death, resignation, recall, inability to serve, an absence from more than three meetings of the Board of Directors or the Representative Council without proper cause during any elected term of office or leaving the employment of the District.
- 6.2.5 Vacancies on the Board of Directors shall be filled by special election.
- 6.2.6 Members of the Board of Directors shall be and remain members in good standing of UTA/CTA/NEA.

6.3 Powers and Duties

The Board of Directors shall:

- 6.3.1 Coordinate the activities of the Association.
- 6.3.2 Supervise administration of policies of the Association and exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions imposed by the Representative Council.
- 6.3.3 Make and adopt Standing Rules and regulations consistent with the Bylaws and the directions of the Representative Council for the conduct of the affairs of the Association.
- 6.3.4 Present a Master Contract at a meeting of the General Membership of the Association. Proposed changes shall be available at each site and at the UTA office. A ratification vote shall be by secret ballot.
- 6.3.5 Review and recommend the annual budget to the Representative Council. Copies of the proposed budget shall be sent to members of the Representative Council prior to the June Board of Directors and Representative Council meeting.
- 6.3.6 Hire, evaluate, and terminate employees of the Association, determine their qualification, fix their compensation, and prescribe their duties.

- 6.3.7 Designate additional Executive Officers, employees, or persons to be authorized to sign checks drawn upon the accounts of the Association. Two authorizing signatures shall be required on all checks.
- 6.3.8 Review and study proposals for action by the Association which are made by individuals and organizations not members of the Association.
- 6.3.9 Declare a vacancy to exist in the office of Representative and request that unit to fill the vacancy.
- 6.3.10 Adopt, with the approval of the Representative Council, the procedures for grievance processing.
- 6.3.11 Establish ad hoc committees as needed.
- 6.3.12 Approve by a majority vote, members appointed to District and Association committees by the President.
- 6.3.13 Act for the Representative Council when school is not in session.
- 6.3.14 Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council.
- 6.3.15 Approve by a majority vote, the appointment and removal of committee members and chairpersons.
- 6.3.16 Approve by a majority vote, and remove by a 2/3 vote members of the Contract Preparation and Negotiations Committee.

6.4 Meetings

- 6.4.1 The Board of Directors shall meet before 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 members of the Board of Directors.
- 6.4.2 At least seven regular meetings shall be held by the Board of Directors each year.
- 6.4.3 Special meetings of the Board of Directors may be called by the President.
- 6.4.4 The Board of Directors shall meet at least five days prior to any regularly scheduled meeting of the Representative Council for the purpose of preparing an agenda for the Representative Council meeting. Each member of the Representative Council shall be sent a copy of this agenda during the week prior to the Council's meeting.

- 6.4.5 Members of the Board of Directors shall attend all regularly scheduled and special meetings unless excused by the President of the Association.
- 6.4.6 Minutes of the meetings of the Board of Directors shall be sent to all members of the Board of Directors, all members of the Representative Council, and one to each site for posting during the week prior to the next meeting of the Council.
- 6.4.7 A quorum for regularly scheduled meetings of the Board of Directors shall consist of a majority of the members of the Board of Directors. A quorum is necessary for all Board of Directors actions and recommendations. A member of the Board of Directors shall not be permitted to exercise the right to vote or any other power and duty of office through a proxy or alternate.

ARTICLE 7: POLICY MAKING BODY

7.1 Representative Council

- 7.1.1 The Representative Council shall be the policy making body of the Association and shall consist of the Representatives and the Board of Directors of the Association. The Representative Council, comprised of members of the Association, derives its powers from and shall be responsible to the membership.
- 7.1.2 The Representative Council shall be composed of the voting members of the Board of Directors and the Representative Council members elected on the basis of one person-one vote.
- 7.1.3 The Representative Council shall strive to have a proportionate number of ethnic-minority memberships. Ethnic minority shall mean those persons designated as ethnic minority by statistics published by the United States Bureau of Census.

7.2 Executive Officers

The Executive Officers of the Association shall be the Executive Officers of the Representative Council.

7.3 Representatives' Terms and Qualifications

- 7.3.1 For the purpose of representation, each school site shall be considered a unit. A separate unit shall be established for those Association members whose office is not at a school site.
- 7.3.2 Each unit shall elect one Representative for each ten Association members, plus one additional Representative for each major fraction thereof. Each unit shall have at least one Representative.

- 7.3.3 The term of office of Representatives shall be two years. Sites with more than one Representative shall rotate the terms of Representatives.
- 7.3.4 The Representatives shall be elected by the site members during the week following the annual election of Executive Officers. They shall be designated as Representatives-elect. They shall assume the responsibilities of a Representative effective the first day of service the following school year. Representatives-elect may attend meetings as non-voting members until they assume office.
- 7.3.5 Election of the Representatives shall be by secret ballot following an open nomination process for all Representative candidates.
- 7.3.6 Representatives elected to the Board of Directors shall continue to serve as Representatives until the end of the school year.
- 7.3.7 A vacancy on the Representative Council shall be deemed to exist in the case of death, resignation, recall, inability to serve, an absence from more than three meetings of the Representative Council without proper cause during any elected term of office, or leaving the employment of the District.
- 7.3.8 Vacancies shall be filled by properly elected replacements, elected by the units they represent.
- 7.3.9 Members of the Representative Council shall be and remain members in good standing of UTA/CTA/NEA.

7.4 Powers and Duties of the Representative Council

The Representative Council shall:

- 7.4.1 Establish Association policies and objectives.
- 7.4.2 Adopt the annual budget on or before the first meeting of the school year and approve additional expenditures not included in the budget.
- 7.4.3 Annually, set any financial compensation for Executive Officers of the Association prior to presentation of the budget.
- 7.4.4 Establish the dues and the representation fee for non-members of the Association.
- 7.4.5 Submit to the vote of the general membership any dues increase greater than the percentage outlined in 4.3 of these Bylaws.
- 7.4.6 Approve attendance at conferences as recommended by the Board of Directors.

7.4.7 Approve the establishment or discontinuance of ad hoc committees recommended by the Board of Directors.

7.4.8 Certify and accept as a Council the results of all elections.

7.4.9 Approve by a 2/3 vote, amendments to the Bylaws.

7.5 Powers and Duties of Representatives

Representatives shall:

7.5.1 Consider all matters relative to the welfare of the teachers and to the teaching profession.

7.5.2 Clarify and maintain the provisions of the Master Contract and act as primary contact with unit members in all matters pertaining to the Master Contract.

7.5.3 Represent the views and input of the active membership of their sites in all actions of the Representative Council, including votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose.

7.5.4 Act as a constant and ongoing liaison between the Representative Council and the active members of their sites.

7.5.5 Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members.

7.5.6 Exercise their considered judgment on matters of immediate action in the Council.

7.5.7 Report all actions of the Association to the members at the site they represent.

7.5.8 Encourage and develop the active participation of unit members in Association programs.

7.5.9 Recruit new members at their work site.

7.5.10 Aid in the Association's program for the orientation of new certificated employees.

7.5.11 Receive and distribute UTA, CTA, and NEA materials to the members represented.

7.5.12 Conduct elections at the unit site, a Representative may not conduct an election in which he or she is a candidate.

- 7.5.13 Act as consultant and liaison to individual members having professional problems by helping them get desired information or by directing them to the person who can help.
 - 7.5.14 Serve as a witness or representative, upon request, for members in meetings with administrators.
 - 7.5.15 Process Level One Grievances and assist the Grievance Committee Chairperson in processing grievances at higher levels.
 - 7.5.16 Perform such additional duties as prescribed by the Board of Directors.
- 7.6 Meetings
- 7.6.1 The Representative Council shall meet once each month of the school year at a time and place set by the Board of Directors at their meeting in May.
 - 7.6.2 Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two days prior to the date of the meeting.
 - 7.6.3 Special meetings of the Representative Council may be called by the President, by the Board of Directors or by petition of twenty percent (20%) of the active membership-at-large.
 - 7.6.4 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.
 - 7.6.5 During crisis situations emergency meeting procedures shall be adopted by the Board of Directors to notify representatives of meeting dates, places and times.
 - 7.6.6 The June meeting of the Representative Council shall be held jointly with current and newly-elected Representatives. The newly elected Representatives shall attend as non-voting members.
 - 7.6.7 Representative Council members shall attend all regularly scheduled and special meetings unless excused by the President of the Association.
 - 7.6.8 Minutes of meetings of the Representative Council shall be sent to all members of the bargaining unit and one to each site to post.
 - 7.6.9 A quorum for regularly scheduled meetings of the Representative Council shall consist of a majority of the members of the Representative Council. A quorum is necessary for all Representative Council actions and recommendations. Each member of the Representative Council shall be entitled to one vote.

ARTICLE 8: ELECTIONS

8.1 Elections

The chapter president shall provide all active members an opportunity to vote in all elections. The chapter president does not have the option to decide an election shall not be held.

8.2 Election Site

All elections shall be held at the site level unless otherwise specified by the Board of Directors.

8.3 Ballots

All elections shall be by secret ballot. A record shall be kept of all voters receiving and casting ballots.

8.4 Election of Executive Officers and Board of Directors

8.4.1 Notification of offices open for election, nomination procedures, length of terms and election time lines shall be distributed to all members and posted in all customary and appropriate locations.

8.4.2 Any active member, at his/her request, shall have his/her name placed upon the ballot for an office of the Association.

8.4.3 The name of any active member may be placed in nomination by any other member, in an open nomination procedure.

8.4.4 Nominations shall be accepted from the floor at the April Representative Council meeting.

8.4.5 The Election Committee shall prepare ballots and oversee the election.

8.4.5.1 Names shall be entered on the printed ballot according to the CTA alphabet.

8.4.5.2 The ballots shall state the name of the office, the term, and the names of the candidates.

8.4.5.3 A biographical sketch and brief statement of each candidate's qualifications shall accompany the ballots.

8.4.5.4 A space for write-ins shall be provided for each position.

- 8.4.5.5 Elections shall be conducted by secret ballot at each site during the month of May; the exact days to be determined by the Board of Directors.
 - 8.4.5.6 Election results shall be offered for certification and acceptance at the May meeting of the Representative Council.
 - 8.4.5.7 The Election Committee shall handle all initial challenges to election results.
- 8.4.6 The candidate(s) receiving a majority of votes cast for the office shall be declared elected. In the event that the number of candidates is equal to the number of positions available or only one candidate is submitted for election in any office the Board of Directors may declare the candidate(s) duly elected by acclamation. In the event no candidate receives a majority vote, a run off election shall be held between the candidates receiving the highest number of votes. The names on the ballot shall be one more than the number of vacancies to be filled.

8.5 Election of Representatives

- 8.5.1 Notification of positions open for election, nomination procedures, and election time lines shall be distributed to all members and posted in all customary and appropriate locations.
- 8.5.2 Any member desiring to run for Representative shall submit his/her name to a current site Representative.
- 8.5.3 The candidate(s) receiving a majority of votes cast for the position(s) shall be declared elected. In the event that the number of candidates is equal to or less than the number of positions available or only one candidate is submitted for election in any office the site, by a majority vote of its members, may declare the candidate(s) duly elected by acclamation. In the event no candidate receives a majority vote, a run off election shall be held between the candidates receiving the highest number of votes. The names on the ballot shall be one more than the number of vacancies to be filled.

8.6 CTA/NEA Elections

- 8.6.1 All representatives to CTA State Council and the NEA Representative Assembly shall be elected by and from the active membership of the Association. Such elections shall be by open nominations and by secret ballot.
- 8.6.2 State Council Representative elections shall be conducted in accordance with CTA guidelines after having been notified to do so by the CTA Elections Committee.

- 8.6.3 Delegates to the NEA Representative Assembly shall be elected for a term of one year and elections shall be conducted in accordance with NEA/CTA guidelines.
- 8.6.4 The candidate(s) receiving a majority of votes cast for the position(s) shall be declared elected. In the event that the number of candidates is equal to or less than the number of positions available or only one candidate is submitted for election in any office the Board of Directors may declare the candidate(s) duly elected by acclamation. In the event no candidate receives a majority vote, a run off election shall be held between the candidates receiving the highest number of votes. The names on the ballot shall be one more than the number of vacancies to be filled.

8.7 Contract Ratification Election

- 8.7.1 New Contracts must be ratified by a majority of active Association members voting.
- 8.7.2 The results of the election shall be presented to the Representative Council for certification and acceptance.
- 8.7.3 The newly accepted Contract shall become effective and supersede all previous Contracts on the date of expiration of the previous Contract unless the new Contract itself specifies another date.

8.8 General Elections

It shall be the responsibility of the Election Committee to make all necessary arrangements for submitting to the membership at large any question upon which the Representative Council or Board of Directors shall desire to secure the opinion or the vote of the members thereof.

- 8.9 The Association shall follow the *CTA Requirements for Chapter Elections Procedures* published in the *CTA Elections Manual*. Members are entitled to all rights contained in the aforementioned CTA publication.

ARTICLE 9: CONTRACT PREPARATION AND NEGOTIATIONS STANDING COMMITTEE

9.1 Composition

The Contract Preparation and Negotiations Committee members and chairperson and such alternates as the Board of Directors deems necessary shall be appointed by the President and approved by the Board of Directors. The Contract Preparation and Negotiations Committee shall consist of six members: two representatives from elementary (K-6), two from junior high (7-8), and two from high school (9-12). Committee members shall be and remain members in good standing of UTA/CTA/NEA.

9.2 Recommendation Procedures

The Association Standing Rules set forth the recommendation procedures for Contract Preparation and Negotiations Committee members, including terms of office and criteria for appointment.

9.3 Removal Procedures

Members of the Contract Preparation and Negotiations Committee may be removed with a two-thirds (2/3) majority vote of the Board of Directors.

9.4 Vacancies

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

9.5 Meetings

The Contract Preparation and Negotiations Committee shall meet as needed.

9.6 Quorum

A quorum shall consist of a majority of the Contract Preparation and Negotiations Committee. A quorum is necessary for all committee actions and recommendations.

9.7 Limitation of Power

The Contract Preparation and Negotiations Committee is empowered to reach tentative agreements with the district. Such agreements shall not be binding upon the Association until such agreements have been ratified by the general membership, unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

9.8 Responsibilities

- 9.8.1 Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Board Of Directors, subject to policies established by the Representative Council. The Board of Directors is distinct from the Contract Preparation and Negotiations Committee.
- 9.8.2 The Contract Preparation and Negotiations Committee may present in writing a recommended budget request for the coming year to the Treasurer prior to the March meeting of the Board of Directors.
- 9.8.3 The Contract Preparation and Negotiations Committee shall attend meetings of the Representative Council and of the Board of Directors as needed and present reports as needed and as directed by the President of the Association.

9.9 Duties

- 9.9.1 The Contract Preparation and Negotiations Committee shall:
 - 9.9.1.1 Represent and bargain for the bargaining unit.
 - 9.9.1.2 Assess current Master Contract for future corrections or additions.
 - 9.9.1.3 Survey and seek approval from the general membership for suggested changes and/or additions to the Contract and proposed Contract demands.
 - 9.9.1.4 Coordinate contractual revisions with Committee Chairpersons.
 - 9.9.1.5 Negotiate the Master Contract with the Upland Unified School District Board of Trustees on behalf of the Association.
 - 9.9.1.6 Apprise the Board of Directors and the Representative Council of negotiation status with such frequency as the Board of Directors and the Representative Council may require.
 - 9.9.1.7 Present updates to the general membership during negotiations.
 - 9.9.1.8 Submit the tentatively agreed upon Contract to the Board of Directors for their approval prior to a meeting of the general membership.

ARTICLE 10: OTHER STANDING COMMITTEES

10.1 Committees

- 10.1.1 Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Board of Directors, subject to approval by the Representative Council.

10.1.2 There shall be the following standing committees: Elections, Grievance, Legislative Action, Budget, and Communications.

10.2 Selection Procedures

10.2.1 The President, with the advice and consent of the Board of Directors, shall appoint Committee Chairpersons.

10.2.2 Committee Chairpersons and members shall be and remain members in good standing of UTA/CTA/NEA and shall be representative of the membership.

10.2.3 Committee members may be appointed by the President, may be selected by the Chairperson of the respective Committee, or may volunteer from among the membership, subject to the approval of the Board of Directors.

10.2.4 Participation on Elections Committee

A member of the Elections Committee shall abstain from participation in Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate.

10.3 Term of Service

The term of service for committee members shall be one year with no limit to the number of terms served.

10.4 Removal Procedures

Members of committees may be removed with a two-thirds (2/3)-majority vote of the Board of Directors.

10.5 Meetings

All standing committees shall meet as needed.

10.6 Quorum

A quorum shall consist of a majority of the committee membership. A quorum is necessary for all committee actions and recommendations.

10.7 Limitation of Power

No committee or its individual member shall have the power to enter into agreements or make decisions of policy for the Association without the approval of the Representative Council.

10.8 Responsibilities of Committees and Chairpersons

10.8.1 All committees may present in writing a recommended budget request for the coming year to the Treasurer prior to the March meeting of the Board of Directors.

10.8.2 Attend meetings of the Representative Council and Board of Directors as needed and present reports as needed and as directed by the President of the Association.

10.9 Duties

10.9.1 The Election Committee shall:

10.9.1.1 Prepare or cause to be prepared all election information materials and establish election timelines and procedures.

10.9.1.2 Ensure that all UTA/CTA/NEA election codes and timelines are followed.

10.9.1.3 Establish, develop, and carry out election timelines.

10.9.1.4 Prepare, distribute, or cause to be prepared and distributed, all election materials.

10.9.1.5 Prepare, tabulate and verify ballots or cause ballots to be prepared for tabulation.

10.9.1.6 Direct ballots to be sorted by site in preparation for tabulation and verification by the committee.

10.9.1.7 Tabulate and verify ballots.

10.9.1.8 Present the results of the elections to the Representative Council for certification and acceptance.

10.9.1.9 Handle initial challenges.

10.9.1.10 Submit periodic reports as necessary to the Representative Council and Board of Directors.

10.9.2 The Grievance Committee shall:

10.9.2.1 Promote the understanding and the practice of professional conduct and democratic procedures as outlined in the Code of Ethics of the Education Profession.

- 10.9.2.2 Assist and train Representatives in processing grievances.
- 10.9.2.3 Defend members' rights to just cause and due process.
- 10.9.2.4 Provide for representation to assist all members of the bargaining unit in processing grievances.
- 10.9.2.5 Assign each school to a committee member as needed.
- 10.9.2.6 Maintain, or cause to be maintained, a grievance file.
- 10.9.2.7 Provide a written report to the President for presentation to the Board of Directors as needed.
- 10.9.2.8 Make judgments and recommendations to the Board of Directors for the disposition of grievances.
- 10.9.2.9 Process grievances at Level II and higher and make recommendations relevant to the arbitration process to the Board of Directors.
- 10.9.2.10 Evaluate the Associations grievance policies and procedures.
- 10.9.2.11 Submit periodic reports as necessary to the Representative Council and Board of Directors.

10.9.3 The Legislative Action Committee shall:

- 10.9.3.1 Study proposed legislation affecting education and keep the membership informed regarding such proposed legislation.
- 10.9.3.2 Propose methods for the Association to support or promote desirable legislation.
- 10.9.3.3 Provide the membership with information concerning candidates for the Board of Trustees, State Legislature and Executive Branch, Congress, and Federal Executive Branch.
- 10.9.3.4 Submit periodic reports as necessary to the Representative Council and Board of Directors.

10.9.4 The Budget Committee shall:

- 10.9.4.1 Develop the Association's annual budget for consideration by the Board of Directors.
- 10.9.4.2 Provide continuous review of the fiscal status of the Association.

10.9.4.3 Submit periodic reports as necessary to the Representative Council and Board of Directors.

10.9.5 The Communications Committee shall:

10.9.5.1 Administer the Association's communications program.

10.9.5.2 Develop and maintain an overall communication plan.

10.9.5.3 Submit periodic reports as necessary to the Representative Council and Board of Directors.

ARTICLE 11: AMENDMENTS

11.1 Proposal

Amendment proposals to the Bylaws of this Association must be submitted in writing to the Secretary of the Association.

11.2 Notice and Publicity

A copy of the proposed amendment(s), shall be provided to members of the Representative Council at the meeting preceding the one at which the amendment(s) is/are to be voted upon.

11.3 Voting and Ratification

Amendments to the Bylaws shall be ratified if approved by a two-thirds vote of the Representatives at any regular or special meeting of the Representative Council.

11.4 Effective Date

Amendments shall go into effect immediately unless the amendment specifies another date.

11.5 Continuity

Nothing in these Bylaws shall be construed as interrupting the continuity of this Association during the transition from the former Bylaws to these Bylaws.

ARTICLE 12: INITIATIVE, REFERENDUM OR RECALL

12.1 Petition Procedure

- 12.1.1 Members have the right of initiative and/or referendum on any action of the Representative Council or of the Board of Directors. A petition signed by twenty percent (20%) of the members shall be necessary to begin this process.
- 12.1.2 Any electoral group shall have the right to initiate a recall action of any Executive Officer or any of its own representatives to the Representative Council or to the Board of Directors by a petition signed by twenty percent (20%) or one hundred members (whichever is less) of that electoral group. A statement of the reasons for the proposed recall shall be part of the recall petition.
- 12.1.3 Each person named in the recall petition shall have the right to make a rebuttal statement which shall be distributed to his/her constituency at least seven days before the recall election.

12.2 Election Procedure

- 12.2.1 Initiative, referendum or recall petitions shall be referred to the Election Committee who shall be responsible for conducting an election pursuant to this article not more than twenty school days following receipt of a valid petition.
- 12.2.2 Any Executive Officer, member of the Board of Directors or Representative Council may be recalled by a two-thirds vote of their electoral group.
- 12.2.3 Recall elections shall be by secret ballot held at the site level unless otherwise specified by the Board of Directors.

ARTICLE 13: PARLIAMENTARY PROCEDURE

13.1 Authority

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

UPLAND TEACHERS ASSOCIATION STANDING RULES

SERIES 1: BUSINESS

RULE 1-01: ASSOCIATION OFFICE

The Office of the Upland Teachers Association shall be located at 99 N. San Antonio Ave. Suite 200, Upland, California, 91786

RULE 1-02: STATEMENT OF MISSION, GOALS AND OBJECTIVES

The UTA Representative Council shall adopt a "Statement of Mission, Goals and Objectives". This statement shall establish the Association's priorities.

RULE 1-03: MEDIA RELATIONS POLICY

The purpose of the Upland Teachers Association's media relations program is to enhance UTA's standing with the public at large and with specific constituencies, including members, non members, other bargaining groups, district administration and the Board of Trustees.

Those interests are not confined to member salaries, benefits and other working conditions, but include the quality of education and the well being of students.

To that end the following rules govern contacts with the media by UTA elected leaders and staff.

1. The president is UTA's official spokesperson on all issues including, but not limited to, organizational, political, and educational policy and positions.
2. The UTA president may designate other elected leaders or staff to articulate the organization's policies or positions either on a specific occasion or, within defined limits, on a continuing basis. The president shall determine any occasions and shall define any limits.
3. No UTA elected leader or staff member shall initiate contact with any print or broadcast journalist to encourage or develop an article that in any way reflects on UTA policies or positions without the specific authorization of the UTA president or his/her designee. A request for such authorization shall include a detailed account of the subject(s) the journalist wishes to discuss as well as the approach(es) s/he may be expected to take.
4. Any elected UTA leader or staff member who is contacted by a journalist for comment, on or off the record on any organizational, political, or educational issue shall first suggest that s/he would prefer that the journalist speak with the UTA president.
5. In the event the president is unable to respond to any such request, the elected leader or staff member shall contact the vice president or his/her designee, who shall comment or attempt to find a spokesperson in this order: (1) another Executive Officer, (2) a member of the UTA Board of Directors who is knowledgeable in the area of the

journalist's subject of inquiry, or (3) a member of the UTA Representative Council who is knowledgeable in the area of the journalist's subject of inquiry.

6. Any violation of this policy, by UTA elected leaders, shall be referred to the Board of Directors for appropriate action.

RULE 1-04: BUDGET PREPARATION, MEMBERSHIP ASSESSMENT PROCESSES AND AUDIT

1. The budget committee shall annually prepare a preliminary budget for the Board of Directors and Representative Council. This budget shall reflect a projection of current program levels and all known or predictable cost increases. Each major division of the budget shall be accompanied by a brief description of the program and/or activities for which funds would be used.
2. Hearings on the budget shall be held at UTA Board of Directors and Representative Council meetings prior to the adoption of the annual budget. The membership shall be notified of the dates of these hearings through the UTA newsletter, the minutes of the Representative Council meetings and their elected Representatives.
3. The UTA Board of Directors and Representative Council shall consider and make any adjustments to the preliminary budget as needed and adopt the final annual budget in an open meeting.
4. The accounts and other financial records of the Association shall be audited annually by an independent certified public accountant or accounting firm, to be designated by the Board of Directors.

RULE 1-05: AUTHORIZATION OF DELEGATES TO CONVENTIONS AND SPECIAL MEETINGS AND EXPENSE REIMBURSEMENT POLICY

1. No person shall have the authority to attend conventions or other professional meetings as an official delegate or representative of the Association unless the Board of Directors has approved such representation.
2. The board of Directors shall determine the extent to which any such delegate or representative shall receive reimbursement of expenses from the Association.
3. The rules governing the reimbursement of necessary expenses of representatives as may be authorized from time to time by the Board of Directors shall be as follows except as otherwise authorized:
 - a. Travel:
 - (1) PLANE: Actual, most economical coach fare (with copy of ticket required as receipt)
 - (2) TRAIN OR BUS: Actual fare (with receipt)
 - (3) AUTO:
 - (a) The highest allowable cents per mile as determined by the Internal Revenue Service round trip by shortest highway route. Mileage reimbursement may not exceed the cost of plane fare.
 - (b) Mileage to and from the member's home airport at the highest allowable cents per mile as determined by the Internal Revenue Service.

- (4) AIRPORT SHUTTLE/TAXI: Actual cost of airport shuttle or taxi fare to and from the meeting site.
- (5) PARKING: Actual costs of airport and hotel parking.
- b. Lodging:
 - (1) The cost of a single occupancy hotel room for the scheduled dates of the meeting.
 - (2) If travel by car necessitates extra hotel or motel charges, such charges are not reimbursable.
 - (3) Personal charges such as laundry, valet, telephone calls, snacks, Internet connection and entertainment are not reimbursable.
 - (4) A maximum of six dollars (\$6.00) for portage is reimbursable for any one meeting.
- c. Meals: Actual amount paid, including tax and tip, not to exceed \$40.00 for any one meal. A maximum of \$60.00 for any one day shall apply. Extra meals necessitated by auto travel are not reimbursable.
- 4. All claims must be filed within thirty days of the end of the month in which they occurred. An additional thirty-day period may be granted for extenuating circumstances set forth in a letter of explanation and filed with the claim. Claims more than sixty days after the end of the month in which they are incurred shall require approval by the Board of Directors.
- 5. Any exceptions or variation from the above rules governing travel and other expenses shall be allowed only by authorization by the Board of Directors.

RULE 1-06: SERVICE MARKS

- 1. The form of the Association name shall be as follows: "Upland Teachers Association" and/or "UTA".
- 2. The use of the UTA name and logo shall be limited to individuals or groups authorized by the UTA Executive Officers and/or Board of Directors.

RULE 1-07: LEADERSHIP INVOLVEMENT IN POLITICAL CAMPAIGNS

- 1. To safeguard the integrity of the process for official Upland Teachers Association recommendations for public office, all officials elected by the UTA membership shall conduct themselves in such a way so as to not compromise the Association's role in making political recommendations.
- 2. Upland Teachers Association members who work in a candidate's political campaign before recommendation has taken place or in the campaign of a candidate who is not recommended should make it clear that they are acting as individuals. They should not recognize themselves with the title of any position held in the Upland Teachers Association.
- 3. This policy shall not in any way infringe upon the rights of individual members of the Upland Teachers Association to express support for individual candidates.

RULE 1-08: USE OF TAX REGISTRATION NUMBER

The use of the UTA non-profit registration identification number shall be restricted to official business of the Upland Teachers Association.

RULE 1-09: MEETING FACILITIES

Unless otherwise specified for a particular meeting, meetings of the Board of Directors and/or Representative Council shall be held in office of the Upland Teachers Association.

RULE 1-10: EMERGENCY PROCEDURES

The Upland Teachers Association shall provide to its staff information, training and procedures to help minimize injury and loss of life in an emergency.

SERIES 2: UTA INTERNAL MATTERS

RULE 2-01: RELEASE OF MEMBERSHIP LISTS

The release of UTA membership lists is prohibited except by authorization of the Board of Directors.

RULE 2-02: UTA PARTICIPATION IN NON-CTA/NEA SPONSORED EVENTS AND ACTIVITIES

UTA shall seek to increase its visibility at non-CTA/NEA sponsored events and activities. The UTA Board of Directors shall determine the participation on a case-by-case basis.

RULE 2-03: PROMOTION OF CTA and/or NEA CONFERENCES

UTA shall distribute to its members information concerning CTA and/or NEA-sponsored conferences. Individuals who desire UTA sponsorship to a conference may request such sponsorship through the Board of Directors.

SERIES 3: MEMBERSHIP, DUES AND REPRESENTATION FEES

RULE 3-01: PRIVILEGES OF MEMBERSHIP

1. All active members shall be entitled to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights and receive reports and publications of the Association.
2. The membership year shall be September 1 through August 31 of the following calendar year.
3. A member who retires during a membership year but who has paid full active dues for that year shall remain in "active" status until the end of that membership year.

RULE 3-02: ESTABLISHMENT OF MEMBERSHIP DUES

1. The dues of Active members of the Upland Teachers Association shall be set forth according to Article 4 of the UTA Bylaws.
2. After the beginning of any membership year, the dues of active members who are enrolling for the first time may be prorated.
3. Any active member of the Upland Teachers Association who is a member of the Active Reserves of the United States Armed Forces shall have all dues payments waived during any period in which s/he is called to and serves on Active Duty. S/he shall retain all rights and privileges of active membership during such Active Duty. Upon his/her deactivation from Active Duty and return to employment in the bargaining unit full dues shall automatically be reinstated.

RULE 3-03: REPRESENTATION FEES

1. Representation fees shall be in accordance with the dues level set by the UTA Representative Council.
2. Full UTA services, exclusive of those for which actual membership is a requirement, shall be provided to each member of the bargaining unit represented by UTA.

SERIES 4: ELECTIONS

The Association shall follow the *CTA Requirements for Chapter Elections Procedures* published in the *CTA Elections Manual*. Members are entitled to all rights contained in the aforementioned CTA publication.

RULE 4-01: ELECTIONS COMMITTEE

1. The Elections Committee shall be composed of at least three appointed members approved by the Board of Directors.
2. The Chair of the Elections Committee shall be appointed by the President and approved by the Board of Directors.
3. A member shall abstain from participation in Elections Committee activities during the period in which he/she or his/her immediate family members is a candidate.

RULE 4-02: ELECTIONS REQUIREMENTS

1. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
2. There shall be an all active member vote. A member who is on leave shall be sent election information by mail to his/her last known residence.
3. A member shall acknowledge receipt of a ballot by a signature on the appropriate sheet.
4. It shall be the responsibility of the member to notify the chapter if he or she desires a ballot at a site other than the regularly scheduled voting place.
5. A record shall be kept of all voters receiving and casting ballots.

RULE 4-03: ANNOUNCEMENT

The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy and include the offices, length of terms and election timeline.

RULE 4-04: TIMELINE

The timeline for the election shall include:

- a. Time, date and place where declarations of candidacy are to be received and a notification to members that the date is the receipt date, not the postmark date
- b. Date for acknowledgement of declarations from candidates
- c. Date(s) on which ballots shall be prepared and distributed
- d. Date(s) when voting shall take place
- e. Deadline date, time and place for return of ballots
- f. Date, time and place where ballots shall be counted
- g. Deadline for filing of challenges and a notification to members that the date is the receipt date, not the postmark date
- h. Date that announcement of results shall be made to leadership, candidates, members and posted at each work site, which date shall not be later than five (5) calendar days following the count of the ballots
- i. Dates and timelines for runoff election if necessary.

RULE 4-05: 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 a chapter's assets, facilities, staff, equipment, mailings, good will and credit.

RULE 4-06: 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. UTA publications may not state or indicate a preference for any particular candidate for any office.
6. The official UTA title and logo may not be used in a way that suggests that a candidate has the support of UTA, CTA or any affiliate.

RULE 4-07: BALLOTS

1. The names of the candidate shall be printed on the ballot in CTA alphabetical 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 a write-in candidate, except in run-off elections.

RULE 4-08: DISTRIBUTION OF BALLOTS AND METHOD OF VOTING

1. Each active member shall receive a ballot.
2. Voting shall be conducted at each site.
3. Each voter must sign a ballot sheet.
4. Each site shall receive a voter roster with a list of current active members and their school sites.
5. Marked ballots must be returned to a designated site representative or ballot box.
6. Site Representatives must return all signature sheets and ballots to the Elections Committee by the designated date and time.
7. Active members who are on dues paying leave shall be notified by mail of their opportunity and right to vote.
8. Each active member on dues paying leave shall be provided with the opportunity to vote by mail.
9. A list of current active members on leave shall be prepared which includes their names, and home addresses. This mailing list must exactly correspond to the current official roll of voting members.
10. Each active member on dues paying leave shall be provided with a ballot, all appropriate envelopes and instructions on:
 - folding and placing of the ballot in the unsigned inner envelope
 - placing of the unsigned inner envelope and separate signature card into the outer envelope addressed to the chapter
 - deadline date for receipt of the voted ballot at the UTA office
11. Ballots received by mail from active members on paid leave shall be dated when received in the UTA office and put in a safe place until the votes are to be counted.
12. At the time of counting, ballots received by mail from active members on paid leave shall be checked against the official list of members on paid leave.
13. Outer envelopes shall be opened and inner envelopes removed and set aside. Signatures shall be set aside separately and kept for safe keeping as a record.
14. Inner envelopes shall be opened, ballots removed and placed in a separate location, and counted.
15. When voting at any sites shall be conducted using envelopes, the procedure shall be as follows:
 - Each voter shall be provided with a ballot, all appropriate envelopes and instructions on:
 - folding and placing of the ballot in the unsigned inner envelope
 - placing of the unsigned inner envelope and separate signature card into the outer envelope addressed to the chapter
 - deadline date for receipt of the voted ballot at the UTA office
 - At the time of counting, the names on the outer envelopes shall be checked against the official list of voters. The names on the official list shall be marked to show that the voter has returned a ballot.
 - Outer envelopes shall be opened and inner envelopes removed and set aside. Signatures shall be set aside separately and kept for safe keeping as a record.

- Inner envelopes shall be opened, ballots removed and placed in a separate location, and counted.

RULE 4-09: VOTE REQUIREMENTS

1. All vote requirements shall be established in accordance with CTA guidelines. Unless otherwise specified, all elections shall be decided by majority vote. Write in votes are valid and must be counted.
2. A majority vote means more than half of the legal votes cast.
3. A plurality vote means the largest number of votes received by any candidate or issue.
4. A two-thirds (2/3) vote means at least two-thirds (2/3) of the legal votes cast.
5. The election of UTA Executive Officers, the Board of Directors and members of Representative Council shall be by majority vote.
6. State Council elections shall be conducted by the Service Center Council in accordance with CTA procedures.
7. In the event no candidate receives a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot shall be one (1) more than the number of vacancies to be filled. When there are only two candidates for an office, the candidate receiving the higher number of legally cast votes shall be declared elected. There shall be no provisions for write-in candidates for run-off elections.
8. For NEA Local Delegates, the election shall be by plurality vote, with results being sent to the Service Center Council and CTA.
9. An election for NEA Local Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled.
10. NEA State Delegate elections shall be conducted by the Service Center Council in accordance with CTA procedures.

RULE 4-10: 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. 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.
3. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results and has notified each candidate of the results.
4. The Elections Committee shall count all valid ballots received prior to the announced date and time for the counting of ballots by the Elections Committee.
5. The Elections Committee shall set aside any ballot(s) on which there is a question, such as:
 - a. Blank ballot
 - b. More ballots than signatures
 - c. Voter not an active member

- d. Voter's intent unclear
 - e. Votes cast for more than the number allowed
 - f. Vote cast on unofficial ballot
 - g. Vote cast for ineligible candidate
 - h. Ballot submitted after deadline.
6. 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.
 7. The Elections Committee shall prepare the final report, recording the following information:
 - a. Total number of ballots cast
 - b. The number of set aside ballots with an explanation for each category of ballot not counted
 - c. The number needed to pass or win
 - d. The number of votes received by each candidate or issue
 - e. A notation whether the set aside would affect the outcome
 - f. A signature of each Elections Committee member present during the preparation of the report.
 8. The Elections Committee Chairperson shall submit the final report to the President or designee who shall inform all candidates of the results and announce the results as prescribed by the timelines.
 9. If the votes set aside would affect the outcome of the election, the President and the Board of Directors shall decide:
 - a. to count the votes which have been set aside
 - b. not to count the votes which have been set aside
 - c. if the election should be conducted again.
 Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.
 10. The ballots and voter signature sheets shall be retained for one year after the election.

RULE 4-11: CHALLENGE PROCEDURES

1. A challenge cannot be initiated until after the results of the election have been posted at each work site.
2. The challenging party(ies) must notify the president of a challenge in writing within ten (10) days after the announcement of the results of the election.
3. The notification must:
 - a. Specify which requirement has been violated
 - b. Include evidence, insofar as possible
 - c. List names and addresses of parties who can give evidence.
4. Within ten (10) calendar days after receipt of the challenge, the Elections Committee shall, in accordance with UTA Bylaws and Standing Rules, conduct an investigation of the challenged election and determine whether or not the challenge is a violation of the election requirements, is supported by the appropriate documentation and if more information is required. If more information is required, it shall be obtained through the most feasible method.

5. Following the investigation, the Elections Committee shall attempt to reach resolution and issue a decision regarding the validity of the challenge based on whether the alleged violation may have affected the outcome of the election. A written report of the issues and recommendation shall be sent within the same 10 days to the President and the Board of Directors for disposition.
6. The Board of Directors shall act on the report no later than 10 days following receipt of the written report of the election committee in accordance with CTA Challenge Procedures. The Board of Directors must issue its finding in writing to the challenger.
7. Any member of the Board of Directors who was a candidate on the ballot or whose immediate family member was a candidate on the ballot shall abstain from voting on the report. If in the case where a majority of the Board of Directors is unable to act on the challenge, the decision shall move to the next highest decision making body according to the UTA Bylaws.
8. If an individual wishes to appeal the decision of the Board of Directors, or if the Elections Committee or Board of Directors fails to act, s/he may file an appeal within ten (10) calendar days from the date of the filing of the challenge by writing to the CTA president. The appeal must include:
 - the specific UTA Bylaw or Standing Rule that has been violated
 - evidence of the violations, insofar as possible
 - a list of names and addresses of parties who can give evidence
 - the written response of the Board of Directors to the original challenge
9. If the Board of Directors fails to act within ten (10) calendar days of the challenge, the individual may file an appeal as described in 8 (a-c) above by writing to the CTA President.
10. The challenge procedure for the election of State Council Representatives and Alternates, and State or local delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.

RULE 4-12: 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. An active member shall file a notice of the intent to circulate a petition with the president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation.
3. The president shall acknowledge and register such receipt in writing with the member(s) filing the notice.
4. The timeline for gathering signatures shall commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least 60% 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 president the petition(s) containing original signatures.
6. The president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petitioner shall be notified by mail within three (3) calendar days that the petition failed for a lack of signatures.

8. The President shall cause a ballot to be furnished to the active members, no less than fifteen (15) calendar days after the 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.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

RULE 4-13: REFERENDUM PROCEDURES

1. Any action or proposed action of the Representative Council or the Board of Directors shall be referred to a vote of the membership upon two-thirds vote of the Representative Council at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the membership on the ballot.
3. The President shall cause a ballot to be furnished to the active members, no less than fifteen (15) calendar days after the action of 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.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

RULE 4-14: RECALL PROCEDURES

1. The active membership shall have the authority to recall from office any person or persons having been elected by the chapters' active members.
2. An active member shall file a notice of the intent to circulate a petition to recall with the president by including a copy of the petition to be circulated, and the names of at least three 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 Executive Officer.
3. The president (or the next ranking Executive Officer) shall register and acknowledge such receipt in writing with the member(s) filing the notice.
4. The timeline for gathering signatures shall commence the day that the notice of intent is registered. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least 25% of active UTA members. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the president (or the next ranking Executive Officer) the petition(s) containing original signatures
6. The president (or the next ranking Executive Officer) 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 petitioner shall be notified by mail that the petition failed for a lack of signatures.
8. The President shall cause a ballot to be furnished to the active members, no less than twenty (20) calendar days after the 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.

10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.
11. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as proscribed for other elections within the Association.

SERIES 6: CONTRACT PREPARATION AND NEGOTIATIONS COMMITTEE

RULE 6-01: MEMBERSHIP ON CONTRACT PREPARATION AND NEGOTIATIONS COMMITTEE

1. Individuals appointed to the Contract Preparation and Negotiations Committee must be and remain members in good standing of UTA/CTA/NEA.
2. Individuals appointed to the Contract Preparation and Negotiations Committee must have been members of UTA/CTA/NEA for a minimum of three (3) years.

RULE 6-02: SCREENING COMMITTEE

1. A Screening Committee shall exist to interview and recommend to the Board of Directors and President of the Association qualified candidates to be nominated to the Contract Preparation and Negotiations Committee. The President shall appoint members to the Contract Preparation and Negotiations Committee.
2. Members of the Screening Committee shall be chosen from and by the members of the Representative Council from the applicable grade level category in which a vacancy to the Contract Preparation and Negotiations Committee exists.

RULE 6-03: RECOMMENDATION PROCESS

1. Members of the UTA Board of Directors shall conduct interviews of nominees for the Contract Preparation and Negotiations Committee.
2. No member of the Board of Directors or Screening Committee who is nominated to serve on the Contract Preparation and Negotiations Committee shall participate in the selection process, including but not limited to: the designing of interview questions, the interviewing of candidates or the selection of members of the Contract Preparation and Negotiations Committee.
3. Questions to be used in the interview process shall be developed by the interviewing members of the Board of Directors prior to the interview session.
4. All nominees for the Contract Preparation and Negotiations Committee shall be asked the same questions and shall not be furnished copies of the questions in advance.
5. All interviews for members of the Contract Preparation and Negotiations Committee shall be conducted on the same day at a date, time and location established by the Board of Directors.
6. Recommendation of members to the Contract Preparation and Negotiations Committee shall be by a majority vote of the eligible members of the Board of Directors and consistent with section 9.1 of the UTA Bylaws.

7. The President of the Association shall inform all nominees in writing as to their status within seven (7) days of the interview date.

RULE 6-04: TERMS OF SERVICE

1. Members of the Contract Preparation and Negotiations Committee shall stand for review by the Board of Directors every three (3) years.
2. The review process shall be identical to the selection process for new members to the Contract Preparation and Negotiations Committee as outlined in Standing Rules 6-01 and 6-03:1, 2, 3, 6, 7.
3. No member of the Board of Directors who is standing for review to continue as a member of the Contract Preparation and Negotiations Committee shall participate in the review process, including but not limited to: the designing of interview questions, the interviewing of members or the recommendation for continuance of members of the Contract Preparation and Negotiations Committee.

RULE 6-05: VACANCIES

1. Vacancies on the Contract Preparation and Negotiations Committee shall exist in the case of death, retirement, resignation, inability to serve, leaving the employment of the Upland Unified School District, ceasing to be a member in good standing of UTA/CTA/NEA or removal in accordance with UTA Bylaws section 9.3.
2. Vacancies on the Contract Preparation and Negotiations Committee shall be filled within sixty (60) workdays and in accordance with UTA Bylaws section 5.3.1.10 and 9.1 and Contract Preparation and Negotiations Committee Standing Rules 6-01, 6-02, 6-03.
3. In the event of a temporary vacancy on the Contract Preparation and Negotiations Committee, an alternate(s) shall be selected to assume the responsibilities of the Committee member(s) until such time as the committee member(s) can resume his or her duties on the Contract Preparation and Negotiations Committee or until the position is vacated according to Standing Rule 6-05:1 and a new member of the committee is selected.
4. An alternate to the Contract Preparation and Negotiations Committee shall be chosen from the applicable grade level category in which a temporary vacancy exists.
5. An alternate to the Contract Preparation and Negotiations Committee shall be selected in the manner described in Standing Rules 6-01, 6-02, and 6-03.
6. A temporary vacancy on the Contract Preparation and Negotiations Committee shall be filled no later than 45 days from the date that notice of the temporary vacancy is given to the President of the Association.

SERIES 7: AWARDS

RULE 7-01: AWARDS, COMMENDATIONS AND SCHOLARSHIPS

1. All awards, commendations and scholarships granted in the name of the Upland Teachers Association shall be administered by, and all selection committees shall be appointed by the UTA Board of Directors.
2. The UTA president shall be responsible for making and/or authorizing the appropriate presentations or announcements of awards, commendations and scholarships.

RULE 7-02: UTA SCHOLARSHIPS

The Upland Teachers Association shall give an annual scholarship(s) to graduating seniors who are dependent children of UTA members and/or graduating seniors of Upland or Hillside High Schools who intend to pursue study in the field of public education at an accredited institution of higher learning the following fall term.

SERIES 8: AMENDMENT PROCEDURES

RULE 8-01: PURPOSE

Standing Rules of the Association shall provide such additional procedures and information as may be necessary to provide for the interpretation and administration of these Bylaws and for the efficient administration of the program of this Association.

RULE 8-02: PROPOSALS AND AMENDMENTS

1. Amendment proposals to the Standing Rules of this Association must be submitted in writing to the Secretary of the Association.
2. A copy of the proposed amendment(s) shall be provided to members of the Representative Council at the meeting preceding the one at which the amendment(s) is/are to be voted upon.
3. Amendments to the Standing Rules shall be ratified if approved by a two-thirds vote of the Representatives at any regular or special meeting of the Representative Council.
4. Amendments shall go into effect immediately unless the amendment specifies another date.
5. Standing Rules and regulations shall be consistent with the Bylaws and the directions of the Representative Council.

SERIES 9: MISCELLANEOUS

RULE 9-01: PROHIBITION UPON HONORARIUMS

No elected leader of the Association shall receive honorariums for speaking and/or presiding at meetings, workshops, trainings or other functions sponsored by the Association, other than payment of expense costs as provided elsewhere herein.

RULE 9-02: SMOKING IN UTA FACILITIES

Smoking is prohibited within all facilities owned, leased or operated by the Upland Teachers Association and in all UTA meetings.