

BYLAWS
KERN COMMUNITY COLLEGE DISTRICT CCA/CTA/NEA
(Amended October 17, 2007)

ARTICLE I

Name and Location

The name of this Association shall be the Kern Community College District CCA/CTA/NEA in Kern County, California.

ARTICLE II

Purposes

The primary purposes of this Association shall be 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; form a representative body capable of developing group opinion on professional matters to speak with authority for teachers; implement the Association's policies and goals through negotiations with the Kern Community College District; provide an opportunity for continuous study and action on problems of the profession including, but not limited to, political and legislative activities; provide a means of representation for its ethnic, minority, and other historically underrepresented members; promote professional attitudes and ethical conduct among members; encourage cooperation and communication between the profession and the community; and foster good fellowship among members.

ARTICLE III

Affiliation with CTA/NEA

Section 1. The Kern Community College District CCA/CTA/NEA shall be a chartered chapter of the California Teachers Association (CTA).

Section 2. The Kern Community College District CCA/CTA/NEA shall be an affiliated local association of the National Education Association (NEA).

ARTICLE IV

Membership

Section 1. Eligibility for Membership. Faculty members of the Kern Community College District as described in the Standing Rules of the KCCD CCA/CTA/NEA are eligible for membership.

Section 2. Categories of Membership. There shall be five categories of membership in the Association: Active, Staff, Student, Retired and Associate as prescribed in the Standing Rules of CTA. 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 the Kern Community College District, and whose primary assignment is such as not to hold supervisory responsibility over other faculty to such an extent as not to be represented in the negotiations process by the faculty bargaining unit.

Section 3. Membership may be granted upon initiation of payroll deduction or upon payment of annual Chapter/CCA/CTA/NEA dues appropriate to the category of membership.

Section 4. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.

Section 5. Active members shall be eligible 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.

Section 6. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.

Section 7. Active members shall adhere to The NEA's *Code of Ethics of the Education Profession*.

Section 8. 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, religious or political affiliation, disability, or sexual orientation.

Section 9. Membership ensures the right to due process in disciplinary actions and the resolution of internal disputes.

Section 10. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.

ARTICLE V

Dues, Fees, and Assessments

Section 1. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CCA, CTA, and NEA.

Section 2. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Executive Council at the last regular meeting of the school year.

Section 3. The Association shall apportion any representation fee for nonmembers on the same percentage basis as the Association/CCA/CTA/NEA dues.

Section 4. Membership in a given category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that category. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

ARTICLE VI

Policy-Making Body

Section 1. The policy-making body of the Association shall be an Executive Council. The Executive Council, comprised of members of the Association, derives its powers from and shall be responsible to the membership.

Section 2. The Executive Council shall be composed of the following Active members: Association officers; College Chairs and Representatives elected at each college; Standing Committee chairs; additional representatives at the Executive Council's discretion.

Section 3. All members of the Executive Council shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.

Section 4. Duties of the Executive Council. The Executive Council shall: establish Association policies and objectives; coordinate the activities of the Association; adopt the annual budget of the Association on or before the first Executive Council meeting of the school year; approve the establishment or discontinuance of committees; approve committee appointments; establish the dues of the Association; direct the negotiating activities and grievance processing of the Association; approve appointment and removal of Negotiating Team members; adopt the Standing Rules for the Association; and exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws.

Section 5. The Executive Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Council at its annual organizational meeting.

Section 6. Special meetings of the Executive Council may be called by the President, or by the petition of twenty percent (20%) of the Council.

Section 7. Special meetings of the Executive Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.

Section 8. Notices and agendas for all meetings of the Executive Council shall be sent to all members of the Executive Council at least two days prior to the date of the meeting.

Section 9. For emergency meetings of the Executive Council during crisis situations, procedures to notify representatives of meeting dates, places, and times shall be adopted by the Executive Council.

Section 10. A quorum for all meetings of the Executive Council shall consist of a majority of all voting members of the Executive Council.

Section 11. Members of the Executive Council shall serve a term of one (1) year.

ARTICLE VII

College Representatives

Section 1. College representatives shall be elected by and from the Active membership of each of the KCCD colleges (Bakersfield College, Cerro Coso College, and Porterville College). Such election shall be by open nominations and by secret ballot.

Section 2. Each college shall be entitled to one (1) representative elected to serve as College Chair, one (1) full time faculty representative, and one (1) adjunct faculty representative with additional representatives elected in accordance with criteria for representation defined in the Association Standing Rules.

Section 3. College Representatives shall: be elected for a term of one (1) year, commencing on the first day of May (May 1) of any calendar year; serve as members of the Executive Council; conduct the annual college membership meeting; conduct constant and ongoing liaison between the Executive Council and the Active members of the college unit; serve as the official channel through which written communications and publications can be transmitted in a timely manner between the Association and the Active members; represent the views and input of the Active membership of the colleges in votes taken in

the Executive Council, conducting frequent and regular polls of such membership for this purpose; and perform such additional duties as prescribed by the Executive Council.

Section 4. Vacancies in the position of College Representative shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within thirty (30) days. A College Representative may not conduct an election in which he/she is a candidate.

ARTICLE VIII

Officers

Section 1. The officers of the Association shall be a President, a Vice- President, **an Adjunct Executive Officer**, a Secretary, and a Treasurer.

Section 2. 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.

Section 3. These officers shall be elected by and from the Active membership of the Association. Such election shall be by open nominations and secret ballot.

Section 4. Officers shall be elected for a term of one (1) year, commencing on the first day of May (May 1) of any calendar year.

Section 5. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.

Section 6. Duties of the President. The President shall be the chief executive officer of the Association and its policy leader. The President shall: preside at all meetings of the Association and Executive Council; prepare the agenda for the meetings of the Association and the Executive Council; be the official spokesperson for the Association; be familiar with the governance documents of the Association, CTA, CCA, and NEA; appoint all chairpersons and members of committees, and of the Negotiating Team, with the approval of the Executive Council; call meetings of the Association and the Executive Council; suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association; attend meetings of the Service Center Council of which the Association is a part; and attend other CTA/CCA/NEA meetings as directed by the Executive Council.

Section 7. Duties of the Vice-President. The Vice-President shall: serve as assistant to the President in all duties of the President; assume the duties of the President in the absence of the President; be responsible for the formation and distribution of the Association's calendar of activities; and serve as coordinator of committee activities at the direction of the President.

Section 8. Duties of the Adjunct Executive Officer. The Adjunct Executive Officer, as a district-wide representative of adjunct faculty members, shall serve as a member of the Executive Council; conduct constant and ongoing liaison between the Executive Council and the adjunct faculty members of the district; serve as the official channel through which written communications and publications can be transmitted in a timely manner between the Association and adjunct faculty members; represent the views and input of the adjunct faculty membership of the district in votes taken in the Executive Council, conduct frequent and regular polls of such membership for this purpose; and perform such additional duties as prescribed by the Executive Council.

Section 9. Duties of the Secretary. The Secretary shall: keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and the Executive Council; be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Executive Council; and to the membership when appropriate; carry on the correspondence pertaining to the affairs of the Association as directed by the President.

Section 10. Duties of the Treasurer. The Treasurer shall: monitor all funds belonging to the Association and be responsible for their safekeeping and accounting; pay out such funds upon orders of the President; prepare a written financial report for each regular meeting of the Executive Council; make the financial records available for examination by Association members; and submit membership and financial reports to CTA, NEA, and other agencies as required by law.

ARTICLE IX

Meeting of the General Membership

Section 1. Meetings of the Association may be called by the President, the Executive Council, or by written petition of twenty percent (20%) of the membership.

Section 2. 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 five (5) business days before the meeting except during crisis situations.

Section 3. For emergency meetings during crisis situations, the Executive Council shall adopt procedures to notify the Association membership of meeting dates, places and times.

Section 4. A quorum for meetings of the Association shall be thirty (30) percent of the Active members from each college.

ARTICLE X

Negotiating Team

Section 1. The Negotiating Team and such alternates as the Executive Council deems necessary shall be appointed by the President and approved by the Executive Council. The President shall appoint all members of the Negotiating Team with the concurrence of the Executive Council. Vacancies created by resignation or inability to serve shall be filled by the Executive Council from the list of alternates. The Executive Council, by two-thirds (2/3) majority, may remove a member of the Negotiating Team.

Section 2. Duties of the Negotiating Team. The duties of the Negotiating Team are to represent and to bargain for the bargaining unit. Responsibility and authority for directing the Negotiating process on behalf of the Association are vested in the Executive Council subject to policies established by the membership. Employees of the Bargaining unit shall be surveyed for input to the contract proposal. The Negotiating Team shall report its activities to the Executive Council in such form and with such frequency as the Executive Council may require.

Section 3. The Executive Council shall provide for the dissemination of information regarding Negotiating and the activities of the Negotiating Team to the general membership. Agreements reached between the Negotiating Team and the Board of Trustees or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the unit membership unless such ratification shall have been specifically waived or otherwise delegated by the unit membership.

ARTICLE XI

Grievance Processing

The Executive Council shall adopt procedures for grievance processing. These procedures shall include, but not be limited to, the following: provide for representation to assist all members of the Bargaining unit in processing grievances; training for handling grievances; and evaluation of the Association's grievance policies and procedures.

ARTICLE XII

Nominations and Elections

Section 1. There shall be an appointed Elections Committee. The duties of the Elections Committee shall be to: ensure that all KCCD/CTA/NEA election codes and timelines are followed; establish election timelines; develop and carry out timelines and procedures; prepare ballots for election of officers and such other elections as may be necessary; count the ballots and certify the results; handle initial challenges.

Section 2. Elections shall be conducted with: open nomination procedure; secret ballot; all member vote; record of voters receiving or casting ballots; and majority vote, unless otherwise specified.

Section 3. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.

Section 4. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.

Section 5. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.

ARTICLE XIII

Committees

Section 1. Standing Committees of the Association shall be: Elections Committee; Grievance Committee; and Membership Committee.

Section 2. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Council.

Section 3. Each committee shall submit periodic reports to the Executive Council.

ARTICLE XIV

Parliamentary Authority

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

ARTICLE XV

Amendment of Bylaws

These Bylaws may be amended by a two-thirds (2/3) majority vote of the members voting in ballot election for the purpose of amending said bylaws. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Executive Council at a regularly scheduled meeting of the Executive Council.

Revision History:

Adopted October 2, 2006

Amended October 17, 2007