

SANTA MONICA-MALIBU CLASSROOM TEACHERS ASSOCIATION

BYLAWS

REVISED MAY 2022 By SMMCTA Negotiations Committee

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ARTICLE I
NAME AND LOCATION

The name of this Association shall be the Santa Monica Malibu Classroom Teachers Association/CTA/NEA in Los Angeles County.

ARTICLE II PURPOSES

- A. 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;
- B. To form a representative body capable of developing group opinion on professional matters and to speak with authority for members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To promote cooperation and communication between education support professionals and certificated educators;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

ARTICLE III AFFILIATION WITH CTA/NEA

- A. The Santa Monica Malibu Classroom Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Santa Monica Malibu Classroom Teachers Association shall be an affiliate local association of the National Education Association (NEA).

ARTICLE IV MEMBERSHIP

- A. The primary category of membership shall be Active members.
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional education work, is a certificated employee of Santa Monica-Malibu Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the bargaining process by the bargaining unit.
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- E. Members shall receive special services, to obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. Active members shall adhere to *The Code of Ethics of the Education Profession*.

- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- H. No member of the Association may be disciplined by the Chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.
- J. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

ARTICLE V DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, and representation for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative Council of the Association at the last regular meeting of the school year.
- C. The Association shall apportion any negotiated representation fee on the same percentage basis as the full Association/CTA/NEA dues.
- D. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. Members 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

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, composed of Active members of the Association, derives its powers from and shall be responsible to the Active membership.
- B. The Representative Council shall be composed of the following Active members:
 - 1. Voting members of the Executive Board;
 - 2. Representatives elected on the basis of one-person one-vote;

- C. The Representative Council shall:
 - 1. Establish Association policies and objectives;
 - 2. Adopt the annual budget of the Association on or before the first meeting of the school year;
 - 3. Approve the establishment or discontinuance of committees recommended by the Executive Board; and
 - 4. Establish the dues of the Association.
- D. The Representative Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the Active membership.
- F. 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.
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- I. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

ARTICLE VII REPRESENTATIVES

- A. Representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.
- B. Representatives shall serve a term of two years.
- C. Each faculty, site or site unit shall be entitled to at least one representative and shall have one representative for each fifteen (15) Active members on the staff, or major fraction thereof.
- D. Active members who are not represented through an individual school group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies: Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Representatives shall:
 - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty/site unit;

2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members;
 3. Represent the views and input of the Active membership in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
 4. Perform such additional duties as prescribed by the Executive Board.
- G. A Representative shall not conduct an election in which he/she is a candidate.

ARTICLE VIII OFFICERS

- A. The officers of SMMCTA shall be a President, a Vice-President, a Secretary, and a Treasurer.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the membership of the Association. Such election shall be by open nominations and secret ballot.
- D. Officers shall be elected for a term of two year(s), commencing July 1 of any calendar year.
- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms. See Standing Rule #17
- F. The President shall be the chief executive officer of the Association and its policy leader. The President shall:
 1. Preside at all meetings of the Association, the Representative Council and Executive Board;
 2. Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board;
 3. Be the official spokesperson for the Association;
 4. Be familiar with the governance documents of the Association, CTA, and NEA;
 5. Appoint all chairpersons and members of committees with the approval of the Executive Board;
 6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board prior to Sunshining the Collective Bargaining Agreement;
 7. Call meetings of the Association, Representative Council and the Executive Board;
 8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
 9. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
 10. Attend meetings of the Service Center Council of which the Association is a part; and
 11. Attend other CTA/NEA meetings as directed by the Representative Council.

G. The Vice-President shall:

1. Serve as assistant to the President in all duties of the President;
2. Assume the duties of the President in the absence of the President;
3. Be responsible for the formation and distribution of the Association's calendar of activities; and
4. Serve as coordinator of committee activities at the direction of the President.

H. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board; and to the membership when appropriate;
3. Keep an accurate roster of the membership of the Association and of all committees; and
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

I. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President;
3. Provide a written financial report for each regular meeting of the Representative Council and Executive Board;
4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit of the membership; and
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

ARTICLE IX
EXECUTIVE BOARD

A. The Executive Board shall be composed of the elected officers, (and may include members elected at-large from the Active membership, as long as this complies with the "one-person-one-vote" rule).

1. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
2. The at-large members of the Executive Board shall be elected for a term of two (2) years, commencing on July 1 of any calendar year. One elementary director and one secondary director will be elected each year.
3. Vacancies in the position of at-large members of the Executive Board shall exist in 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 business days in accordance with Standing Rule #17.

4. The at-large members of the Executive Board shall consist of: One (1) Child Development Services director, two (2) directors shall be from the elementary level, one (1) from the middle school level, and two (2) from the high school level and one (1) member representing the Malibu school sites.
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The Executive Board shall meet prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive.
- D. The duties and responsibilities of the Executive Board are:
 1. Coordinate the activities of the Association;
 2. Act for the Representative Council when school is not in session;
 3. Direct the bargaining activities of the Association, subject to policies established by the Representative Council;
 4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
 5. Recommend a budget for the Association to the Representative Council;
 6. Approve by majority vote all appointment and removal of committee members, including chairpersons;
 7. Adopt the local Standing Rules for the Association;
 8. Adopt grievance procedure;
 9. Direct the grievance activities of the Association; and
 10. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council.
- E. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body.

ARTICLE X
MEETINGS OF GENERAL MEMBERSHIP

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

ARTICLE XI
BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board. All three teaching levels (elementary, middle school and senior high school) shall be represented.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the active membership. The Executive Board is distinct from the Bargaining Team.
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by the Representative Council in that unit.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of Bargaining Team to the general membership.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

ARTICLE XII
GRIEVANCE PROCESSING

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

ARTICLE XIII
NOMINATIONS AND ELECTIONS

The Chapter shall follow and all members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the CTA Elections Manual.

The chapter president must provide Active members an opportunity to vote in all elections. Chapter Presidents do not have the option of deciding whether an election shall be held.

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. The duties of the Elections Committee shall be to:
 - 1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
 - 2. Establish election timelines;
 - 3. Develop and carry out timelines and procedures;
 - 4. Prepare ballots for election of officers and such other elections as may be necessary;
 - 5. Count the ballots and certify the results; and
 - 6. Handle initial challenges.
- B. Elections shall be conducted with:
 - 1. Open nomination procedure;
 - 2. Secret ballot
 - 3. All Active member vote;
 - 4. Record of voters receiving or casting ballots; and
 - 5. Majority vote, unless otherwise specified.
- C. 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.
- D. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA guidelines.

ARTICLE XIV COMMITTEES

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

ARTICLE XV
PARLIAMENTARY AUTHORITY

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

ARTILCE XVI
AMENDMENTS/PROCEDURES

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

ANNUAL CALENDAR

Representative Council meets	Second Monday of the month, unless otherwise indicated by the Executive Board and approved by Rep Council
Annual audit report of the year. List of Standing Rules distributed. Approval of committee appointments	First Representative Council meeting
Deadline for electing FAC and Representative Council members at each school.	End of second week of school
Classes should be equalized and conform to the size limitations in the contract	Three weeks after the start of the school year
Timeline begins for class size grievance	First day of 4th week of the school year
Announcement of nominations for SMMCTA officers. Deadline for nominations of SMMCTA officers by petition.	March Representative Council meeting

Election of SMMCTA officers	Second Tuesday & Wednesday after Spring Break
Nominations for membership on next year's Nominations and Elections Committee. Nominations for SMMCTA Directors, Representative Council elects two SMMCTA Directors. Treasurer presents tentative budget for next year. SMMCTA Scholarships awarded.	April/May Meeting
Detailed annual Treasurer's report. Discussion of summer stipend for President. Discussion of leadership honoraria. Leadership honoraria paid. Committee chairpersons present annual reports.	May/June meeting
Retirement gifts given	June
New terms begin for officers. Leadership honoraria paid.	July 1
New Teacher Luncheon	One week before school starts
New fiscal year begins	September 1

**STANDING RULE #1
HONORARIA**

- A. The SMMCTA President will be paid an honorarium of \$16,590.00 per year payable in 10 equal monthly installments. The honorarium will be adjusted to reflect changes in the negotiated salaries for unit members. If a president is officially replaced (for illness or other reason), the replacement will be paid the remaining salary on a pro rata basis.
- B. The summer stipend for the President shall be up to \$4000. The SMMCTA vice president will be paid an honorarium of \$3,600 per year.
- C. The SMMCTA secretary will be paid an honorarium of \$3,600 per year.
- D. The SMMCTA treasurer will be paid an honorarium of \$3,600 per year.
- E. Executive Board Members at Large will be paid an honorarium of \$2,400 per year with two excused absences a year. 10% of the honorarium will be deducted per absence from Executive Board meetings thereafter.
- F. The Representative Council shall vote to compensate the Executive Board Members or other members, excluding the President if receiving a summer stipend, for summer meetings attended equivalent to the District hourly rate.
- G. The Representative Council shall vote to grant honoraria to other SMMCTA leaders such as committee chairs or negotiators. The honoraria for committee chairs or bargaining team members may be up to \$800.

STANDING RULE #2
GRIEVANCE PROCESSING

- A. General. As the exclusive representative for all certificated employees of the teacher bargaining unit, SMMCTA shall not consider membership as a criterion for any decisions made relative to the processing of a grievance. Any person represented within the bargaining unit shall be eligible to become a grievant.
- B. Definition of Grievance. A grievance shall be defined in the collective bargaining contract.
- C. Basic Representation. A grievant shall automatically be entitled to representation through SMMCTA with assistance, if necessary, from CTA Professional Staff.
- D. Arbitration Representation. The decision as to whether or not to pursue a particular grievance to arbitration shall be an organizational one. The following shall be the basic criteria and procedures used in making this determination:
 - 1. FACTORS IN CONSIDERATION ARBITRATION shall include but not be limited to the following:
 - a. The weight of evidence on behalf of the grievance
 - b. The precedent to be established by an arbitration ruling to be of substantial interest to the bargaining unit.
 - c. Budgetary consideration and impact on the total Association budget.
 - 2. PROCEDURES
 - a. A majority of the Grievance Committee may recommend arbitration to the Executive Board.
 - b. The Executive Board shall consider and vote on the issues of arbitration.
 - c. Appeals from the Executive Board decision may be made to the Representative Council.

STANDING RULE #3
REIMBURSEMENT FOR CONFERENCE ATTENDANCE

- A. Conference attendance must be pre-approved by the SMMCTA Executive Board.
- B. Pre-approved expenses will be reimbursed at the conclusion of the conference after presentation of receipts.
- C. Members may request reimbursement for conferences prior to conferences by completing the appropriate form titled “SMMCTA Application for Professional Development Conference” and submitting to SMMCTA.

STANDING RULE #4
UNUSED DUES RECEIPTS

All dues receipts which remain unused at the end of the fiscal year shall be transferred into a separate category under assets to be used as needed during the subsequent school year.

STANDING RULE #5
POLITICAL CONTRIBUTIONS & POLITICAL ACTION COMMITTEE

- A. The SMMCTA PAC will recommend candidates or officeholders by using a process of interviewing the local candidates. Our recommendation process will follow a thorough and fair process in which:
 - 1. A cover letter and questionnaire will be sent to all candidates.
 - 2. All candidates returning the written questionnaire will be interviewed.
 - 3. The SMMCTA PAC will report interview results to the Representative Council which will then vote with a 60% majority on our Association's recommended list of candidates.
 - 4. No funds or support in kind may be spent on non-recommended candidates.
 - 5. The SMMCTA PAC may issue recommendation letters or statements of recommendation with reasons for the recommendation for purposes of press releases or member education after approval.
- B. The SMMCTA PAC may recommend a position on state and local issues (including ballot measures) from the standpoint of educational issues without regard to partisan consideration.
 - 1. The SMMCTA PAC may research state and local educational issues (including ballot measures).
 - 1. The SMMCTA PAC will report the research results to the Representative. Council, which will then vote with a 60% majority on recommendation for position.
 - 2. No funds or support in kind may be spent on non-recommended issues.
 - 3. The SMMCTA PAC may issue recommendation letters or statements of recommendation with reasons for the recommendation for purposes of press releases or member education after approval.
- C. Composition of the SMMCTA PAC will be no more than ten (10) members including the Chair, Vice-Chair, and Treasurer of the committee.
- D. Funding of the SMMCTA PAC will be voluntary. A voluntary amount of up to \$0.40 per active member per month (ten months per year, for a total of \$4.00 per year) will be placed in the account of the SMMCTA PAC. These monies will remain segregated from the general active membership account. Active members choosing not to contribute to the SMMCTA PAC will fill out Form a yearly to opt out and divert the \$0.40 contributions to the General Fund.
- E. Any action taken by the Representative Council endorsing or providing funds either for a candidate for political office or for any political measure shall not be effective for five days. During this period a referendum petition protesting the action, signed by not less than

one-fifth of the members of SMMCTA, may be presented to the President who shall then suspend such action until an election is held. The President shall order the election at the various schools within ten days after submission of such petition. A majority of those voting shall be necessary to sustain the action of the Representative Council.

STANDING RULE #6
MEMBERSHIP DUES STRUCTURE

SMMCTA Membership Dues 2022-2023

NOTE: All monthly rates are based on ten (10) payments per year.

CATEGORY 1 More than 60%	Chapter	\$211.00	
	State	\$768.00	
	NEA	\$204.00	
	Total	\$1,183.00	\$118.30/month
CATEGORY 2A Greater than 33 1/3 Not more than 50%	Chapter	\$115.00	
	State	\$394.00	
	NEA	\$113.50	
	Total	\$668.75	\$68.78/month
CATEGORY 2B Greater than 50% Not more than 60% +Children Center Teachers, Adult Ed Teachers (20 hours or more), Substitute Teachers	Chapter	\$115.00	
	State	\$394.00	
	NEA	\$204.00	
	Total	\$713.00	\$713.30/month
CATEGORY 3A 25% or less Leave of absence w/o pay	Chapter	\$113.00	
	State	\$203.25	
	NEA	\$68.00	
	Total	\$	\$34.85/month
CATEGORY 3B More than 25%, less than 33 1/3% Leave of absence w/o pay Adult Ed Teachers 10-20 hours	Chapter	\$110.00	
	State	\$175.25	
	NEA	\$103.00	
	Total	\$388.25	\$38.83/month
CATEGORY 4 Adult Ed Teachers (Part Time)	Chapter	\$61.00	
	State	\$82.10	
	NEA	\$63.25	
	Total	\$206.35	\$20.64/month

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STANDING RULE #7
SMMCTA CREDIT CARD

Use of the SMMCTA credit card and/or all other SMMCTA funds without permission from the SMMCTA president is grounds for removal from office or termination of employment by the Executive Board.

STANDING RULE #8
SMMCTA SITE GOVERNANCE SEAT

- A. Purpose. The purpose of the SMMCTA negotiated seat for each school's site governance will be to advise the governance members when discussions raise contractual issues. This SMMCTA unit member will be a representative at large for all site unit members, will interact with SMMCTA on issues that arise, may bring issues to the governance table, and will be a voting member on site governance.
- B. Qualifications. The unit member participating in the negotiated seat for SMMCTA must be a
 - 1. Tenured teacher
 - 2. Be willing to participate in SMMCTA governance workshops.
- C. Process. SMMCTA nomination forms will be submitted to the Faculty Advisory Committee.
 - 1. FAC will verify eligibility with SMMCTA;
 - 2. FAC will conduct an election with all SMMCTA site unit members according to SMMCTA Bylaws;
 - 3. The SMMCTA seat will be a two-year term.
- D. Existing SMMCTA seat representatives will be grandfathered in for a two-year term.

STANDING RULE #9
OFFICE MANAGER

The hourly wage for the current administrative employee is \$24 per hour.

STANDING RULE #10
PRESIDENTIAL CELL PHONE

- A. The Association will provide the President a cell phone with which to carry on association business.

- B. The number of the cell phone will be provided to unit members.
- C. The treasurer will review the cell phone bill and present it to the Executive Board.

STANDING RULE #11

RATIFICATION VOTE PERTAINING TO CHANGES TO THE COLLECTIVE BARGAINING
AGREEMENT

The minimum threshold for passage is a majority of the legal ballots cast.

STANDING RULE #12

FACULTY ADVISORY COUNCIL

- A. Faculty Advisory Councils (FAC) are a negotiated Association Right in the *Agreement* between SMMCTA and Santa Monica-Malibu Unified School District.
- B. There shall be a Faculty Advisory Council at each school comprised of one representative for each seven (7) unit members with a minimum of three, one of whom should be either an Association Site Representative, Association Chair, or Member of SMMCTA Executive Board.
- C. FAC members must have tenure. At the secondary level, members may be elected to represent departments or sites.
- D. Each Faculty Advisory Council (FAC) may advise the administrator on any matter pertaining to the improvement of the operation of the school, provided such matter is outside the scope of SMMCTA bargaining as identified by the *Agreement*.
- E. FAC is responsible for discussing and proposing solutions to all such problems brought to its attention by the administrator or faculty members, referring unresolved problems to the SMMCTA President or appropriate committees.
- F. This does not preclude any individual or group from presenting problems directly to the SMMCTA President or an appropriate committee for action.
- G. The members of each Faculty Advisory Council (FAC) shall annually elect a chairperson. Meetings are called by the chairperson.

The FAC shall meet as a committee, without the administrator, at least twice each semester.

STANDING RULE #13
CONTINGENCY AND EQUIPMENT RESERVE FUND

- A. When the liquid assets in reserves are above \$100,000, the Treasurer shall budget one percent (1%) of annual SMMCTA dues income for the Contingency and Equipment Reserve account. If the liquid assets drop below \$100,000, the Treasurer shall budget three percent (3%) of the annual dues for the Contingency and Equipment Reserve account.
- B. A two-thirds vote of the Representative Council shall be necessary to authorize any expenditure from the Contingency and Equipment Reserve Fund, or a concurrence of six members of the Executive Board may authorize any expenditure from the Contingency and Equipment Reserve Fund, when the Representative Council cannot meet from the end of the school year to the start of the new school year.

STANDING RULE #14
STANDING RULES

- A. The function of a standing rule is to establish continuing policies and rules as needed by SMMCTA.
- B. A standing rule is introduced at a Representative Council meeting by completing, in order, the following two steps:
 - 1. Written copies of the proposed standing rule, signed by five (or more) sponsors, shall be distributed to all Representative Council members present at the meeting. Only members of the Representative Council may be sponsors.
 - 2. One of the sponsors shall read aloud the proposed standing rule.
- C. A standing rule must be voted on at the next regular Representative Council meeting following its introduction.
- D. Passage shall require affirmative written votes on official ballots by at least two-thirds of all Representative Council members.
- E. Official ballots shall be given only to eligible voters.
- F. Official ballots shall be marked, collected and immediately counted by any representative Council member other than officers and one of the rule's sponsors.
- G. Eligible voters who cannot attend the meeting may cast an absentee vote by marking an official ballot, sealing it in an envelope bearing the voter's signature, which must be delivered to the President before ballots are counted.

1. The Secretary shall compile a list of absentee voters and shall read this list to the Representative Council immediately before ballots are distributed in order to guarantee one vote for each eligible voter.
 2. The sealed absentee ballots will be opened and counted immediately after the regular ballots are counted.
- H. The following shall govern conflicts:
1. Any Bylaw or its amendment takes precedence over a standing rule.
 2. A standing rule takes precedence over any regular Representative Council motion.
 3. If a newly passed standing rule is in conflict with any prior standing rule, the new rule takes precedence. Insofar as any part of the prior rule is not in conflict, it continues in force.
- I. A list of current standing rules will be given to each Representative Council member at the first regular meeting each year.

STANDING RULE #15

REPRESENTATIVES

- A. SMMCTA officers, members of the Executive Board or standing committee chairs shall not be counted as faculty representatives for their schools.
- B. Members teaching part time at a school shall be counted for representation according to the fraction of time spent at that school.

STANDING RULE #16

OFFICERS

- A. SMMCTA shall maintain a fidelity bond covering all elected officers and paid employees.
 1. Each officer or Representative Council member shall be subject to recall from office upon the presentation of a petition. For an officer, the petition to recall must be from at least five different schools with no more than half the required petitioners from any one school and signed by at least twenty-five percent of the unit members. For a Representative Council member, The petition to recall a faculty representative shall be signed by at least twenty-five percent of the affected faculty and shall list the names of at least two consenting candidates to succeed to the position.

2. The petition for a recall from office shall list the names of at least two consenting candidates to succeed to the office (except for the President who would be succeeded by the Vice President) for the remainder of the term.
3. Such petitions shall be given to the Nominations and Elections Committee who shall verify the candidates' consent.
4. Upon verification, the Nominations and Elections Committee shall immediately initiate a special election to recall an officer, or a special school election to recall a faculty representative.
5. At the special election, the ballot will provide first for a vote on the question of the recall of the incumbent and then, except in the case of the President, on the election of a successor for the remainder of the term.
6. A two-thirds vote will be required for recall and the candidate who receives the highest number of votes shall succeed to the position in question.

STANDING RULE #17
EXECUTIVE BOARD

A vacancy in the Executive Board is defined as: (a) absence from office of any elected officer or removal from SMMCTA membership for any reason or (b) absence without acceptable excuse from more than three meetings per year. A vacancy shall be declared by the Board of Directors. A vacancy, with the exception of the President, shall be filled by a majority vote of the Representative Assembly from *open* nominations.

STANDING RULE #18
BARGAINING TEAM

- A. The Executive Board may recommend to the negotiating team, but may not interfere with its strategies or methods at the negotiating table.
- B. The Executive Board may remove negotiators for cause as provided by Article XI, Section L, Item 1 (below).
 1. A written petition for the removal of any member of the Negotiating Team, claiming that a member of the Negotiating Team is not in support of the SMMCTA proposal or is impairing the conduct of bargaining, may be presented to the Executive Board by a simple majority of the Negotiating Team or by any four members of the Executive Board.

2. Hearings on such charges shall be conducted by the Executive Board, chaired by the Grievance Committee chairperson, who shall be non-voting.
3. Removal shall be by two-thirds majority of the entire Board. This procedure shall take no more than seven working days from receipt of petition to final decision.

STANDING RULE #19
COMMITTEES

- A. Chairs of all standing committees shall be appointed by the President with the consent of the Representative Council.
- B. SMMCTA members of joint committees which include non-members shall be appointed by the President with the approval of the Representative Council.
- C. Committee membership should have as wide a representation as possible (subject areas, grade levels taught, site location, race, and sex). Members of standing and special committees are chosen by the President and committee chair with the approval of the Representative Council. Committee size will vary. Committee communications, other than within the committee must be approved by the President.
- D. Committees may include but are not limited to the following:
 1. Grievance Committee
The Grievance Committee shall:
 - a. Consider the professional problems and needs of certificated personnel.
 - b. Assist in personnel problem-solving and in protecting the legal and professional rights of members.
 - c. Develop policies for advancing these rights and recommend appropriate steps for their realization.
 - d. Have two committee chairs: one for Elementary level grievances and one for Secondary level grievances.
 2. Finance
The Finance Committee shall:
 - b. Study all phases of the financing of the Santa Monica Malibu Unified School District
 - c. Collect and maintain a file of pertinent studies/information
 - d. Keep the Representative Council informed
 - e. Make recommendations concerning finance and salaries.
 3. Insurance

- b. The Insurance Committee shall investigate, publicize and recommend suitable group insurance coverage to the Representative Council for action.
 - c. The Committee may work as a part of a joint District committee.
4. Political Action
- a. The Political Action Committee shall inform and recommend to the Representative Council appropriate activities to support legislative and political positions on matters affecting education.
 - b. The Association monies received through dues, assessment or similar levy shall not be used to promote any candidate. A candidate may not accept direct contributions from the Association treasury or indirect contributions in the form of use of the Association's assets, facilities, staff, equipment, mailings, goodwill and credit.
5. Nominations and Elections
- b. The Nominations and Elections Committee shall supervise SMMCTA election procedures, tally votes, and announce official election results within 48 hours following the close of polls.
 - c. They shall nominate candidates for the office of the president, vice president, secretary, and treasurer.
 - d. The Nominations and Elections Committee shall be composed of at least three (3) members who are not on the Executive Board.
 - e. Members of the Nominations and Elections Committee cannot serve on the Executive Board.
 - f. Members of the Executive Board cannot serve on the Nominations and Elections Committee.
6. Social
- The Social Committee shall plan and arrange various programs and social events.
7. Publications
- The Publications Committee shall publish and edit any newsletter and website of SMMCTA.
8. Public Relations
- The Public Relations Committee shall keep the public and various organizations within the community informed about the activities of SMMCTA.
9. Human Rights

The Human Rights Committee shall inform and recommend activities to the Representative Council and unit members concerning human rights issues.

10. Organizing and Engagement Committee shall:

- a. Develop and present an organizing plan to the Executive Board in order to build site-based engagement.