



# ◆◆ TRUE BYLAWS ◆◆

## **I. NAME AND LOCATION**

The name of this Association shall be Twin Rivers United Educators/CTA/NEA in Sacramento County, hereafter referred to as "TRUE."

## **II. PURPOSES AND GOALS**

The primary purposes of TRUE shall be:

- A.** To represent its members and all persons in its bargaining unit in their professional and employment 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 unite all members within TRUE's jurisdiction, regardless of their age, race, national origin, socio-economic status, job classification, gender, sexual orientation, disability, or religion;
- C.** To provide a means of representation for its ethnic minority members;
- D.** To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
- E.** To provide an opportunity for continuous study and action on problems of the profession;
- F.** To promote professional attitudes and ethical conduct among members;
- G.** To encourage cooperation and communication between the profession and the community;
- H.** To foster good fellowship, unity, and solidarity among members;
- I.** To promote political and legislative activities related to public education service and benefits; and

- J. To promote cooperation and communication between education support professionals and certificated educators.

### **III. AFFILIATION WITH THE CTA/NEA**

- A. TRUE shall be a chartered chapter of the California Teachers Association (CTA).
- B. TRUE shall be an affiliated local of the National Education Association (NEA).

### **IV. MEMBERSHIP**

- A. The four (4) categories of membership in TRUE shall be Active, Retired, Associate, and Student.
  - 1. **Active membership** shall be open to any certificated Twin Rivers Unified School District employee who is engaged in, or who is on leave of absence for not more than six months from, professional educational work and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process.
  - 2. **Retired** membership shall be open to any former member of TRUE who is now drawing educational retired benefits and who supports the purposes and goals of TRUE.
  - 3. **Associate** membership shall be open to any person who is on a leave of absence for more than six (6) months from the employment that qualifies him/her for active membership.
  - 4. **Student** membership shall be open to any post-secondary student actively pursuing California Teaching Credential.
- B. Membership may be granted upon initiation of payroll deduction or upon payment of annual TRUE/CTA/NEA dues appropriate to the class of membership. 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. Members hired prior to September 1 of any calendar year shall begin their membership on their first day of duty.
- C. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in status shall make the member ineligible for

that class or category. If, by November 30 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 person dropped from the rolls. Provisions for installment payments or payroll deductions of members' obligations to TRUE may be provided for by the Executive Board.

- D.** An individual who is serving as a negotiator for a public-school employer shall not be eligible for membership in the Association.
- E.** Active members shall adhere to The Code of Ethics of the Education Profession.

## **V. RIGHTS OF MEMBERSHIP**

- A.** All, and only, active members shall have the power and enjoy the rights and privileges to:
  - 1.** Vote in all elections, hold elective offices or appointive positions, receive special services, obtain representation or legal assistance in the protection of employment and civil rights, and receive reports and publications of TRUE.
  - 2.** Decide and establish the fundamental laws of TRUE, the rules and regulations which implement these laws, and make other decisions that advance the goals of TRUE.
  - 3.** Attend any meetings of the Executive Board, Site Representative Council, or other official TRUE meeting as nonvoting observers, unless the privacy rights of others would be violated.
- B.** The rights to and privileges of membership shall not be abridged in any way because of age, race, national origin, socio-economic status, marital status, job classification, gender, sexual orientation, disability, or religion.
- C.** No member of the Association may be disciplined without a due process hearing by the Executive Board. 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.

- D.** 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.

## **VI. DUES, FEES, AND ASSESSMENTS**

- A.** The basic annual dues level for active members, shall be sufficient to cover the operating expenses of TRUE, the dues of CTA, and the dues of NEA. TRUE dues shall be indexed to meet minimum levels necessary to qualify for matching fund programs of CTA and/or NEA.
- B.** Membership dues shall be adopted at the same time as the budget is adopted for the following fiscal year on or after April 1.
- C.** Special assessments may be established by a two-thirds (2/3) vote of the Site Representative Council.
- D.** The fiscal year shall be from September 1 through August 31.

## **VII. GENERAL AND SPECIAL FUNDS**

- A.** TRUE shall maintain a general fund and such special funds as shall be established by the Executive Board. The general fund shall consist of all monies received from dues, assessments, and other sources.
- B.** The Executive Board shall recommend the budget for the following fiscal year at a regular meeting on or after April 1, but not later than May 30.
- C.** The stipend of constitutional officers and any employees shall be specified in the proposed annual budget. The stipend of the Vice President shall be fifty percent (50%) of the stipend of the President. The Site Representative Council may change the stipend of any constitutional officer or at-will employee by a two-thirds (2/3) vote of the Site Representative Council.

## **VIII. SITE REPRESENTATIVE COUNCIL**

- A.** The policy-making body of TRUE shall be the Site Representative Council. The Site Representative Council shall establish TRUE policies and objectives. The Site Representative Council derives its powers from, and shall be responsible to, the active membership.

- B.** The Site Representative Council shall be composed of the following active members:
- 1.** Executive Board;
  - 2.** TRUE Site Representatives or their elected alternate, elected on the basis of one-person one-vote;
  - 3.** Any of the following officers as ex-officio, non-voting members: TRUE committee chairpersons, CTA State Council Representatives, or members holding a CTA/NEA office.
- C.** Excepting matters requiring confidentiality such as member discipline, grievances, issues involving employees of TRUE, the Site Representative Council may, but is not limited to, provide advice and consent upon any of the following issues:
- 1.** Establish Association policies and objectives.
  - 2.** The adopted dues and annual budget.
  - 3.** Establishing or discontinuing association committees.
- D.** The Site Representative Council shall meet at least every other month during each school year; the date, place and time of the meetings shall be published in an annual calendar.
- E.** Special meetings of the Site Representative Council may be called by the President, the Executive Board, a quorum of the Site Representative Council, or by the petition of twenty percent (20%) of the membership. Special meetings of the Site Representative Council shall be called for a specific purpose, and no business other than that for which the meeting is called may be transacted.
- F.** A quorum of the Site Representative Council shall consist of forty percent (40%) of the members of the Site Representative Council.
- G.** Each TRUE Site Representative, or elected alternate, shall have one vote. Each elected alternate, acting in place of a TRUE Site Representative will be entitled to vote at the Site Representative Council. No proxy votes shall be allowed.
- H.** Decisions of the Site Representative Council, unless otherwise specified, require a majority vote of the TRUE Site Representatives present and voting. The Site Representative Council shall encourage the active participation of a proportionate number of ethnic-minority representatives according to the ethnic-minority membership of TRUE.

- I.** 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.
- J.** 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.
- K.** Representative Council meetings may be held in an electronic format, such as a webinar only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.
- L.** Representative Council meetings may be held virtually (i.e., Zoom) provided that all bargaining unit members are invited to be part of the virtual meeting with the ability to communicate verbally, ask questions, hear all responses, and vote via chat on action items. The voting process will consist of the representative typing their name and vote (allowing for verification that they are an elected representative) in the chat where it can be seen by all attendees.

## **IX. SITE REPRESENTATIVES**

- A.** TRUE Site Representatives, and at least one alternate per represented unit, shall be elected by and from the active membership, by September 1 of each school year. Such election shall be by open nominations and by secret ballot. Election results must be reported to the TRUE office immediately following the ballot count
- B.** Each representative unit/school site shall be entitled to one (1) Site Representative for every twenty (20) active TRUE members or major fraction thereof. 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.
- C.** Vacancies shall be filled by a special election to fill the unexpired terms.
- D.** The term of a TRUE Site Representative is one (1) year. A TRUE Site Representative may be elected without limit on the number of terms. A term commences on the first day of September and terminates on the last day of August.

**E. Site 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.

**F. A Site Representative shall not conduct an election in which he/she is a candidate.**

**X. OFFICERS**

- A.** As of June 2009, the officers of TRUE 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 in office.
- C.** These officers shall be elected by and from the active membership of TRUE. Such election shall be by open nominations and secret ballot.
- D.** Officer elections shall be held within thirty (30) calendar days after April 15 in odd-numbered years. Officers shall be elected for a term of two (2) years, commencing on the first day of July of odd-numbered years and terminating on the 30<sup>th</sup> day of June.
- E.** A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of TRUE. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office for the remainder of the term. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms within twenty (20) school days unless a general election is pending within forty (40) school days.
- F.** The officers shall meet at least monthly and at such other times as the President may deem necessary, or upon written petition of a majority of the officers.

## **XI. RESPONSIBILITIES OF THE OFFICERS**

**A.** Officers shall maintain thorough and systematic records of their assignments and proceedings for which they are responsible. These records shall become the property of TRUE and shall be kept as part of the files of TRUE for the purpose of research, reference, and training of new officers and staff.

Officers shall attend the monthly TRUE/TRUSD Joint Leadership meetings.

**B.** The **President** shall be the chief executive officer of TRUE and its policy leader. The President, or designee, shall:

- 1.** Preside at all meetings of TRUE, including those of the Site Representative Council;
- 2.** Prepare and disseminate the agenda for all meetings of the Executive Board, the General Membership, and the Site Representative Council when acting as presiding officer;
- 3.** Be the official spokesperson for TRUE;
- 4.** Be thoroughly familiar with the governance documents of TRUE, CTA, and NEA;
- 5.** Appoint all chairpersons and members of committees, and of the bargaining team, with the approval of the Executive Board;
- 6.** Be an ex-officio, non-voting member of all committees;
- 7.** Call meetings of TRUE;
- 8.** Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
- 9.** Suggest policies, plans and activities for TRUE and be held responsible for the progress and work of TRUE;
- 10.** Attend other CTA/NEA meetings as directed by the Executive Board;
- 11.** Attend meetings of the Service Center Council of which TRUE is a part;
- 12.** Attend meetings of the Board of Trustees of the Twin Rivers Unified School District;
- 13.** Sign interim agreements and side letters made between TRUE and the employer on behalf of no more than one percent (1%) of the membership, following the concurrence of the affected members, with the consent of the Executive Board. All other side letters or interim agreements that affect more than one percent (1%) of the members shall require two-thirds (2/3) approval



of the Site Representative Council. All interim agreements and side letters shall include specific language stating the term of its effective life which shall not extend beyond such time as the members vote and approve a new contract.

14. Make reports to the Executive Board and Site Representative Council; and
15. Initiate elections.
16. At least once a month write a communication about issues relevant to TRUE members, to be sent out as an e-mail update to members.

**C. The duties of the Vice-President shall be to:**

1. Serve as assistant to the President in all duties of the President, and assume the duties of the President in his/her absence;
2. Be responsible for communicating, organizing, and coordinating with directors, Site Representatives and represented sites;
3. Be responsible for the formation and distribution of TRUE's calendar of activities;
4. Provide input and assistance to the Contract Enforcement and Negotiating Committees;
5. Serve as coordinator of committee activities at the direction of the President;
6. Become thoroughly familiar with the governance documents of TRUE, CTA, and NEA.
7. Attend meetings of the Board of Trustees of the Twin Rivers Unified School District, at least once a month;
8. Write a communication, at least once a month, about issues relevant to the members, to be sent out as an email update to members.

**D. The Secretary shall:**

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of TRUE;
2. Be responsible for the timely distribution of minutes, notice of meetings, and agendas for all meetings;
3. Keep an accurate roster of all committees;
4. Carry on the correspondence pertaining to the affairs of TRUE as directed by the President;
5. Serve as Parliamentarian in TRUE meetings, or designate someone to do so;

6. Become thoroughly familiar with the governance documents of TRUE, the CTA, and the NEA, and
7. Attend meetings and activities, when requested, or as the President's designee.

**E. The Treasurer shall:**

1. Receive all funds belonging to TRUE and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President, subject to approval by the Executive Board;
3. Provide a written financial report monthly to the Executive Board and for each regular meeting of the Site Representative Council;
4. Be responsible for an annual audit of the books of TRUE, to be conducted by an outside auditor;
5. Distribute a summary of the annual audit to the Executive Board and provide a copy for viewing by the membership;
6. Consult with the Executive Board to prepare an annual budget;
7. Submit membership and financial reports to CTA, NEA, and other agencies as required by law;
8. Ensure that the signatures of the constitutional officers shall be on record on all accounts maintained by TRUE. TRUE's checks shall be payable only upon the signature of the Treasurer and one other officer;
9. Become thoroughly familiar with the governance documents of TRUE, CTA, and NEA;
10. Attend meetings and activities, when requested, or as the President's designee.

**XII. EXECUTIVE BOARD**

- A. Beginning on June 1, 2009, the Executive Board shall be composed of the four officers and the directors elected at large from the membership. Each member shall have one vote. An Ethnic Minority-at-Large Representative will also be part of the Executive Board.
- 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.** Directors-at-Large of the Executive Board shall be elected with open nominations and by secret ballot. Directors-at-Large shall serve for a term of two (2) years, commencing on the first day of July and terminating on June 30. Elections shall be held on even numbered years, within thirty (30) calendar days after April 15.
- D.** Prior to April 15 of the year a Director-at-Large election is to be held, a census of TRUE members' work assignments shall be taken, and the number of Directors-at-Large in each grouping reapportioned.
- E.** Directors-at-Large shall be responsible for:
  - 1.** Representing the membership at large on the Executive Board;
  - 2.** Providing communication concerning TRUE activities and actions with the membership;
  - 3.** Assisting the Vice President in coordinating committee activities;
  - 4.** Becoming thoroughly familiar with the governance documents of TRUE, CTA, and NEA
  - 5.** Attending meetings and activities, when requested, or as the President's designee; and
  - 6.** Attending meetings of the Board of Trustees of the Twin Rivers Unified School District at least four (4) times per school year.
- F.** Vacancies in Director-at-Large positions 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 twenty (20) school days unless a general election is pending within forty (40) school days.
- G.** The Executive Board shall meet at least monthly (except June, July, & December) and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- H.** The duties and responsibilities of the Executive Board shall be to:
  - 1.** Implement the policies established by the Site Representative Council;
  - 2.** Act for the Representative Council when school is not in session;
  - 3.** Coordinate the activities of TRUE;
  - 4.** Oversee contract enforcement of TRUE;

- 5.** Approve by majority vote the appointment and by two thirds (2/3) vote the removal of bargaining team members. Approve by majority vote all appointment and removal of committee members, including chairpersons.
  - 6.** Establish the priorities for, and direct, bargaining based upon priorities established by surveying and consulting with the unit members;
  - 7.** Recommend a budget for TRUE, to the Site Representative Council;
  - 8.** Adopt Standing Rules for TRUE, consistent with the Bylaws;
  - 9.** Adopt grievance procedure;
  - 10.** Direct the grievance activities of the Association; and
  - 11.** Exercise all the business and organizational powers and duties for TRUE as prescribed by law and these Bylaws.
- I.** A quorum for all meetings of the Executive Board shall consist of a majority of the members of the Executive Board.

### **XIII. CTA STATE COUNCIL REPRESENTATIVES AND NEA DELEGATES**

- A.** All representatives to CTA State Council and the NEA Assembly to which TRUE is entitled shall be elected with open nominations and by secret ballot by the general membership.
- B.** These representatives shall represent the position(s) of the local and make periodic reports to the Executive Board at the Board's discretion.
- C.** CTA State Council Representative(s), and alternate(s), shall be elected for a term as specified by CTA.
- D.** NEA delegates shall be elected for a term as specified by NEA. If the number of candidates for NEA local delegates is equal to or less than the number of seats available, requirement for a secret ballot election shall be waived and the candidates declared elected.

### **XIV. BARGAINING TEAM**

- A.** The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B.** The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.

- C.** The Bargaining Team and such alternates as the Executive Board deems necessary shall be nominated by the President and approved by the Executive Board. The number of members and make-up of the Bargaining Team shall comply with collective bargaining laws, judicial mandate, and Public Employment Relations Board rulings.
- D.** Any active member is eligible to serve on the Bargaining Team.
- E.** The Executive Board shall adopt Standing Rules, setting forth its selection procedures for Bargaining Team members, including the length of terms and criteria for appointment.
- F.** Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- G.** The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team and appoint a replacement.
- H.** Responsibility and authority for directing the bargaining process on behalf of TRUE are vested in the Executive Board.
- I.** TRUE members shall be surveyed to determine contents of the proposed contract demands, and the contract proposal.
- J.** The Bargaining Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- K.** The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- L.** 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.

## **XV. COMMITTEES**

- A.** Establishment and discontinuance of any committees not provided in the bylaws should have the approval of Representative Council.
- B.** Each committee shall present or submit reports at each scheduled Site Representative Council meeting.
- C.** All committee members, including committee chairpersons, and employees, unless specifically mandated otherwise by these Bylaws, are under the direction of the

Executive Board, subject to the policies, procedures, and priorities established by the Executive Board, and serve at the will of the Executive Board.

- 1.** The terms of committee members, including chairpersons, and employees, unless otherwise specified, shall be for one (1) year, beginning on July 1 and expiring on June 30.
  - 2.** Committee members, including chairpersons and employees, unless otherwise mandated by these Bylaws, may be removed by a 2/3 vote of the Executive Board.
- D.** Except as specifically exempted by the Bylaws, all paid assignments shall be filled by appointment of the President subject to approval by the Executive Board.
- E.** Any active member of TRUE may apply for any committee position, including paid positions, by submitting a request and resume to the President.
- F.** The Executive Board shall ensure that ethnic minorities have an opportunity to serve on committees proportionate to their membership in TRUE.
- G.** Committee chairpersons and TRUE employees shall maintain thorough and systematic records of their assignments and proceedings for which they are responsible. These records shall become the property of TRUE and shall be kept as part of the files of TRUE for the purpose of research, reference, and training of new officers and staff.

## **XVI. MEETINGS OF THE GENERAL MEMBERSHIP**

- A.** A general membership meeting must be held at least one time each year.
- B.** Meetings of the general membership may be called by the President, the Executive Board, or by written petition of twenty percent (20%) of the membership.
- C.** Notices of TRUE meetings including date, place, time, and purpose of the meeting shall be made available to all members of TRUE at least one (1) week before the meeting except during crisis situations.
- D.** For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify TRUE membership of meeting dates, places and times.
- E.** General Membership meetings may be held in an electronic format, such as a webinar only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability

to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.

- F.** A quorum for meetings of the general membership shall be forty percent (40%) of the active membership.

## **XVII. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, Newly Revised, latest edition, shall provide guidance at all meetings of TRUE.

## **XVIII. AMENDMENTS**

These Bylaws may be amended by a simple majority vote at any Site Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Site Representative Council at the meeting preceding the one at which it is to be voted upon, or at least one (1) month prior to the convening of a Site Representative Council.

## **XIX. ELECTIONS**

The Chapter shall follow, and members are entitled to the rights contained in the CTA Requirements for Chapter Election Procedures published annually with the CTA Elections Manual. The chapter president must provide all Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held.

### **A. Elections Committee**

- 1.** There shall be an Elections Committee, composed of at least three (3) members who are familiar with the unit operations and who are not seeking election. The Elections Committee and its chairperson shall be appointed by the President and approved by the Executive Board, at the beginning of each school year. Members of the Executive Board are not permitted to be on the Elections Committee.
- 2.** Any TRUE member who is either a candidate on the ballot or whose immediate family member is a candidate, shall abstain from all Election Committee activities on that particular ballot.

- 3.** The duties of the Elections Committee shall be to:
  - a.** Establish election timelines
  - b.** Ensure that all TRUE/CTA/NEA election codes and timelines are followed.
  - c.** Develop and carry out timeline procedures.
  - d.** Prepare and distribute election materials.
  - e.** Count the ballots and certify the results.
  - f.** Handle initial challenges
  - g.** Attend CTA elections training sessions

**B. Chapter Elections:**

- 1.** The election of officers and Directors-at-Large shall be conducted within thirty (30) days after April 15 of the corresponding year.
- 2.** The election of Site Representative of TRUE shall be held by September 1 of each year.
- 3.** Only active members of TRUE who are District employees and represented by the bargaining unit may place or have placed their names in nomination for constitutional office, directorship, or site representative positions.
- 4.** Elections shall be conducted with:
  - a.** Open nomination procedure.
  - b.** Secret ballot.
  - c.** All-member vote.
  - d.** Record of voters receiving or casting ballots.
  - e.** Simple majority vote, unless otherwise specified, to be elected.

**C. NEA/CTA Elections:**

- 1.** State Council Representative elections shall be conducted according to CTA guidelines after the local or Service Center Council has been notified to do so by the CTA Election Committee.
- 2.** NEA State Delegate elections shall be conducted according to CTA guidelines.
- 3.** NEA Local Delegate elections shall be conducted according to NEA/CTA guidelines.