

# **CTA**

**ORANGE COUNTY CLASSROOM  
TEACHERS ASSOCIATION**



# **BYLAWS**

**2009-2010  
(amended copy)**

**Updated  
August 28, 2009**

# TABLE OF CONTENTS

<b>Article I - Name of the Association</b> .....	2
<b>Article II – Membership</b> .....	2
Section I – Classes .....	2
Section II - Dues Assessment.....	2
Section III - Suspension / Expulsion.....	2
Section IV - Active Membership .....	2
Section V - UTP Membership.....	2
Section VI - Representation Eligibility .....	3
<b>Article III - Officers - Directors - Representatives – Staff</b> .....	3
Section I - UTP Membership .....	3
Section II – Officers.....	3
Section III - Eligibility for Office .....	3
Section IV - Term of Office.....	3
Section V - Duties of Office .....	4
President .....	4
1st Vice President .....	5
2nd Vice President.....	5
Secretary .....	5
Treasurer.....	6
Section VI – Directors .....	6
Section VII – Service Unit Council .....	7
Section VIII - Association Representatives .....	7
Section IX – Recall.....	7
Section X - Terms of Office.....	7
<b>Article IV - Board of Directors - Representative Council</b> .....	8
Section I - Board of Directors Members .....	8
Section II - Board of Directors Duties .....	8
Section III - Representative Council Members .....	8
Section IV - Representative Council Duties .....	9
Section V - Ethnic Minority Guarantees .....	9
<b>Article V – Committees</b> .....	9
Section I – Appointment .....	9
Section II - Standing Committees .....	9
<b>Article VI - Nominations and Elections</b> .....	9
Section I – Nominations.....	9
Section II – Elections .....	10
Section III - General Elections.....	10
Section IV - Special Elections .....	10
Section V - Presidential Delegate Positions .....	10
<b>Article VII – Meetings</b> .....	10
Section I - General Membership .....	10
Section II - Representative Council .....	11
Section III - Board of Directors .....	11
<b>Article VIII – Quorum</b> .....	11
<b>Article IX - Fiscal and Membership Year</b> .....	11
<b>Article X – Dues</b> .....	11
Section I – Dues.....	11
Section II – Pro-Rated Dues .....	12
<b>Article XI – Affiliation</b> .....	12
Section I – Organizations.....	12
Section II – Caucuses.....	12
<b>Article XII - Rules for Amending</b> .....	12
Section I – Amending Articles of Incorporation .....	12
Section II – Amending Bylaws .....	12
<b>Article XIII - Rules of Order</b> .....	13

## ARTICLE I

The name of this Association shall be: The Orange County Classroom Teachers Association, Inc. herein known as "the Union". In recognition that there is a single teaching profession operating in three or more governance levels and that the professional Association which operates on these levels is united in purposes and characteristics, the Orange County Classroom Teachers Association, Inc., is the local affiliate of the Florida Education Association and its national affiliates.

## ARTICLE II - MEMBERSHIP

### SECTION I - CLASSES

- A. Active membership shall be limited to Orange County Classroom teachers who hold a valid certificate. Teacher is defined as any category included in or to be included in the Bargaining Unit represented by the Association or any current officer in the Florida Education Association.
- B. Retired dues paying members of CTA-R shall be considered ex officio members of Orange County Classroom Teachers Association with all the rights and privileges granted to CTA-R in these Bylaws and in CTA Policies.
- C. Associate Memberships

- 1. Non-Administrative Employees

Non-administrative employees in the schools of Orange County who are not eligible for active membership in a local of the national affiliates may, upon payment of dues, enroll as associate members with all the rights and responsibilities of active members except the right to vote, to hold office, or to represent the Association. Associate members may not be eligible for the Association's legal services program.

- 2. Members on Long-Term Leave

A person who was an active member and has been granted an Orange County School Board approved leave of absence of one (1) semester, or more may, upon payment of dues, enroll as an associate member with all the rights and responsibilities of active members.

### SECTION II: DUES ASSESSMENT

Members shall be assessed annual dues as determined by Article X.

### SECTION III: SUSPENSION/EXPULSION

After due notice and hearing, the Board of Directors, by a two-thirds (2/3) vote, may suspend or expel any member who shall have violated the Code of Ethics of the teaching profession, or may cancel the membership of any member convicted in a court of a crime involving moral turpitude, and may reinstate a member who has previously been suspended or expelled from the Association. Any suspended or expelled member may appeal action by the Board of Directors to the Representative Council where a majority vote of those present and voting shall sustain or overrule the decision of the Board of Directors.

### SECTION IV - ACTIVE MEMBERSHIP

Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues. Members who will have a break in service with school district of 2 months (62 days) or less shall retain local active membership with prior written notice to the Association and continued payment of dues. If a question arises regarding the status of an active member due to changes in the law, the Board will hold in abeyance that Bylaw provision until a legal ruling is obtained.

### SECTION V: UTF MEMBERSHIP

All members of this Association shall be members of FEA and its national affiliates.

SECTION VI: REPRESENTATION ELIGIBILITY

Teachers shall not be eligible for Association representation for incidents occurring prior to membership application being stamped with the date received at the CTA office.

**ARTICLE III - OFFICERS - DIRECTORS - REPRESENTATIVES**

SECTION I: UTF MEMBERSHIP

All officers, directors, representatives, and alternate representatives shall be members of FEA and its national affiliates.

SECTION II: OFFICERS OF ASSOCIATION

The officers of this Association shall be a President, a First Vice-President, a Second Vice-President, a Secretary and a Treasurer. These officers shall constitute the Executive Committee of the Association, and shall serve at the call of the President. The immediate Past President shall remain a full member of the Board of Directors for one year following the end of his/her Presidency.

No member of the Executive Committee of the Association shall be a member of the Orange County Administrative Pool. If he/she is a member of the Administrative Pool before his/her election to office in this Association, he/she must resign his/her membership in the Pool after his/her election.

SECTION III: ELIGIBILITY FOR OFFICE

- A. All candidates for office in this Association must have been members of the Association for 2 years prior to the date that the term of office begins.

SECTION IV: TERM OF OFFICE

- A. The term of local officers shall be two years with no officer to serve more than three (3) consecutive terms.
- B. At the organizational meeting in June, the newly elected Board of Directors shall elect the appropriate number of members to the Service Unit Council.
- C. The President may run on a slate with a 1st Vice-President as a running mate. These two positions may run independently and the rest of the Executive Committee shall run independently
- D. Vacancies
  - 1. President/Vice-Presidents

In case of a vacancy in the office of President, the First Vice-President shall become President and the Second Vice-President shall become First Vice-President. In case of a vacancy in the office of First Vice-President, the Second Vice-President shall become First Vice-President. The office of Second Vice-President shall then be filled by the Board of Directors from among its immediate past or present ranks by secret ballot. If the offices of the President, First Vice-President, and Second Vice-President become vacant simultaneously, the remaining members of the Board of Directors shall select one (1) of their number to serve as President Pro Tempore until the Representative Council, by secret ballot, can fill the vacancies for the balance of the terms.

2. **Directors**

If a vacancy in a Director's position occurs within the first year of the term, an election within that district shall be held by secret ballot. If a vacancy in a director's position otherwise occurs, the position shall be filled for the un-expired term by appointment of the President with the approval of the Board of Directors. In recommending persons to fill vacancies in Director's positions, the President shall not decrease the number of ethnic minority members nor the ratio between elementary and secondary teachers.

3. **Others**

All other vacancies in offices of this Association shall be filled for the un-expired term by appointment of the President with the approval of the Board of Directors within 45 school calendar days of the vacancy.

SECTION V: DUTIES OF OFFICE

All officers shall be members of both the Board of Directors and Representative Council. They shall perform the duties pertaining to their respective offices and such other duties as may be imposed upon them by the Corporate Charter and by the Bylaws of the Association.

A. The President shall:

1. Represent the Association as spokesperson on matters of policy or assign, at the President's discretion, responsibility for such representation.
2. Call and preside at all meetings of the Board of Directors, Representative Council, and all other Association meetings.
3. Prepare the program and agenda for the Board of Directors, Representative Council, and all other Association meetings.
4. Have the option to appoint a Parliamentarian for all meetings of the Association at which the President presides.
5. Appoint, except as provided in these Bylaws, all chairpersons of committees, with the advice and consent of the Board of Directors; such chairpersons to serve at the pleasure of the President, except where a term is fixed by these Bylaws. The President will provide charges for all committees, annually.
6. Serve as member ex officio without a vote on all committees authorized by the governing bodies.
7. Give a bond to the Association in a sum to be fixed by the Board of Directors. The premium on said bond shall be paid by the Association.
8. Sign contracts and other instruments connected with Association and professional activities.
9. Have the power to disburse funds as authorized.
10. Perform such other duties as may be determined by the Board of Directors.
11. Recommend to Board of Directors appointments for un-expired vacancies as per Article III, Section IV, D.3.
12. Visit or arrange for a visit by a member of the Executive Committee or Board member at least one-third (1/3) of the schools in each Learning Community, annually.

13. Deliver an annual report on the Association's activities as a part of the budget cycle.
  14. Prepare, with Treasurer, Executive Director, and Budget Committee, a budget for submission to the appropriate policy-making body.
  15. Meet regularly with the other officers of the Association and with the Executive Director.
  16. Delegate duties to the officers of the Association.
- B. The First Vice-President shall:
1. Assume the necessary duties of the President in case of absence (or resignation) of the President.
  2. Chair the Bylaws and Policies Committee.
  3. Serve on the Budget and Finance Committee.
  4. Serve on the Contract Committee.
  5. Give a bond to the Association in a sum to be fixed by the Board of Directors. The premium on said bond shall be paid by the Association.
  6. Have the power to disburse funds as authorized.
  7. Serve on other committees of interest.
- C. The Second Vice-President shall:
1. Assume the necessary duties of the First Vice-President in case of absence of the First Vice-President.
  2. Serve on the Contract Committee.
  3. Chair the Membership Committee.
  4. Have the power to disburse funds as authorized.
  5. Give a bond to the Association in a sum to be fixed by the Board of Directors. The premium on said bond shall be paid by the Association.
  6. Serve on other committees of interest.
- D. The Secretary shall:
1. Keep all minutes of the Association, the Board of Directors, and the Representative Council.
  2. Keep an accurate record of attendance at all Board of Directors and Representative Council meetings.
  3. Maintain in a permanent file, copies of all minutes and records of the Association.
  4. Give a bond to the Association in a sum to be fixed by the Board of Directors. The premium on said bond shall be paid by the Association.
  5. Receive resignation letters from elected officers or board members to file as privileged motions at the next scheduled governance meeting.

E. The Treasurer shall:

1. Chair the Budget and Finance Committee.
2. Be responsible for preparing the Budgets and monthly financial statements in cooperation with the Executive Director and Bookkeeper.
3. Have the power to disburse funds as authorized.
4. Assure that the books are submitted for annual audit by a licensed accountant at the close of the fiscal year.
5. Give a bond to the Association in a sum to be fixed by the Board of Directors. The premium on said bond shall be paid by the Association.
6. Ensure that all financial records shall remain the property of the Association.

SECTION VI: DIRECTORS

There shall be Directors from each Learning Community.

A. Eligibility for Directorship

All candidates for directorship in this Association must be members of the Association.

B. Term of Directors

1. Each Director shall serve for a term of two (2) years. No Director to serve as a Director for more than three (3) successive terms. All Districts shall be designated by Learning Community. There will be two directors elected from each Learning Community and two at large directors.
2. In case no Director is elected in a Learning Community, the President shall deliver a slate of candidates from that learning community to the AR Council for a vote.

C. Election of Directors

1. Directors shall be elected by the CTA members within their Learning Communities.

D. Duties and Responsibilities of Directors

The Director shall:

1. Serve as a member of the Board of Directors and the Representative Council.
2. Have the responsibility to communicate and/or meet regularly with the Association Representatives in his/her Learning Community.
3. Attend all required meetings.
4. It shall be the responsibility of director to notify, in writing, the CTA President and/or Board of Directors of any transfer or re-assignment to a school outside the Learning Community in which he/she was elected.
5. Chair Learning Community meetings.

SECTION VII: SERVICE UNIT COUNCIL

- A. When the Association is part of a Service Unit Council, representatives to that Council shall be elected by the Board of Directors from among the members of the Board of Directors. The President and Treasurer shall be automatic members of the Council.
- B. At the organizational meeting held in June, the newly elected Board of Directors shall elect the appropriate number of members to the Council.

SECTION VIII: ASSOCIATION REPRESENTATIVES

Each school shall elect, by secret ballot, no later than post-planning, one (1) representative for each twenty (20) members or major fraction thereof. Each school shall be guaranteed at least one (1) representative. Each school shall, by secret ballot, elect one (1) alternate representative for each representative elected. Vacancies may be filled by election at the site as needed.

- A. Eligibility of Representatives  
All candidates for the position of Association Representative in this Union must be members of the Association
- B. Term of Service of Representatives  
Each representative shall serve for a term of at least two (2) years. In case of vacancy the alternate shall become the representative. If the alternate position is also vacant, the CTA members of that school faculty where such vacancy occurs shall elect, by secret ballot, a representative to fill the un-expired term.
- C. The Representative shall:
  - 1. Serve as a member of the Representative Council.
  - 2. Organize a CTA unit in his/her school and serve as its chairman.
  - 3. Report the business and activities of the Association to his/her faculty.
  - 4. Present to the Representative Council the wishes and desires of his/her faculty.
  - 5. Be assisted by the Alternate Representative in performing his/her duties.
  - 6. Recruit members and send required forms to the CTA office.
- D. Where two (2) or more representatives occur within a school, one shall be elected as chairman to be responsible for the duties listed above.

SECTION IX: RECALL

Any officer, director or representative not performing his/her duties may be removed from office by a two-thirds (2/3) vote of the Board of Directors. Said removal may be appealed to the Representative Council where a major vote of those present and voting shall sustain or override the action of the Board of Directors. Any member of the Executive Committee who is also a member of the Orange County Administrative Pool will be subject to the provisions of this section also.

SECTION X: TERMS OF OFFICE

All terms of office shall begin on June 15 and end on June 14.

## **ARTICLE IV - BOARD OF DIRECTORS - REPRESENTATIVE COUNCIL**

### SECTION I: MEMBERS

- A. All officers and directors shall comprise the membership of the Board of Directors. The FEA Director(s) shall be included as an ex-officio non-voting member of the Board of Directors.
- B. A representative of the CTA-R shall be included on the Board of Directors as a non-voting member.
- C. A Director(s) of the national affiliates of this district may be included as an ex-officio non-voting member of the Board of Directors.
- D. Any officer of FEA from this District may be included as an ex-officio non-voting member of the Board of Directors.
- E. No members of the Board of Directors shall hold more than (1) voting position on the Board.

### SECTION II: DUTIES

- A. The Board of Directors shall:
  - 1. Have the duties, responsibilities, and authority for the conduct of the Association in all matters except as stated otherwise in the Corporate Charter or the Bylaws.
  - 2. By two-thirds (2/3) vote authorize within the framework of the adopted budget, the spending of the monies of the Association.
  - 3. Recommend to the Representative Council Goals and a Budget for the following year.
  - 4. Act upon matters of business, which are to be presented at both the Representative Council and the meetings of the Association.
  - 5. Approve the appointment of Standing Committee Chairpersons.
  - 6. Approve the appointment of personnel to offices and directorships if vacancies occur between annual elections, except as stated in Article III, Section IV, B.2.
  - 7. Be vested with the power to create a new director's position as necessary
  - 8. Review Learning Communities at least once every five (5) years.
  - 9. Use the following additional factors in creating new districts:
    - a. Geographical relationships of the schools served by the director.
    - b. Total number of schools within the Learning Community.
  - 10. The new Board of Directors shall hold an organizational meeting prior to the last Board meeting in June for the express purpose of electing members to the Service Unit Council and approving appointments as necessary.

### SECTION III: MEMBERS

Association Representatives and members of the Board of Directors shall comprise the membership of the Representative Council. The membership of Retired CTA may elect one representative who shall be included as an ex-officio member of the Representative Council. Alternates, when not substituting for the representatives and other members of this Association, may have the privilege of the Council floor for discussion but may not make motions or vote.

SECTION IV: DUTIES

- A. The Representative Council shall:
1. Be the policy-setting body of the Association.
  2. Serve as liaisons with the various schools (Article III, Section VII).
  3. Have the power to arrange financial support.
  4. Approve the budget.
  5. Act upon the business of the Association.

SECTION V: ETHNIC MINORITY GUARANTEES

- A. Members from ethnic minorities shall comprise at least twenty percent (20%) of the Board of Directors and Representative Council.
- B. The Representative Council shall elect at-large Directors and/or at-large delegates to the Representative Council whenever necessary to insure the ethnic minority guarantee.

**ARTICLE V - COMMITTEES**

SECTION I: APPOINTMENT

- A. Appointment of Chairs of standing committees and charges will be presented to the Representative Council by the first regularly scheduled meeting of the school year.
- B. Appointment of committees shall be made pursuant to Article III, Section V. A., except that at least one representative of CTA-R may serve as a member of each standing committee.

SECTION II: STANDING COMMITTEES

- A. The standing Committees shall include the following: Budget and Finance, Bylaws and Policies, Communications, Contract, Elections, Government Relations, Human and Civil Rights, Membership, Educational Research and Dissemination, Minority Affairs and Affiliate Relations.
- B. Ad Hoc Committees: Special Committees shall be appointed by the President pursuant to Article III, Section V. A.

**ARTICLE VI - NOMINATIONS AND ELECTIONS**

SECTION I: NOMINATIONS

All persons desiring to run for office shall:

1. Make formal application to the CTA office no later than two (2) weeks prior to the annual general membership meeting.
2. Nominations of eligible candidates may be made from the floor at the annual general membership meeting.

## SECTION II: ELECTIONS

- A. The Elections and Surveys Committee shall:
  - 1. Be responsible for checking the eligibility of candidates.
  - 2. Direct the election procedures.
  - 3. Total and validate the election results.
- B. Election Procedures:
  - 1. Only members under Article II, Section I.A., of the Association shall be eligible to vote.
  - 2. A majority of the votes cast shall determine those elected. If no candidate receives a majority of the votes cast on the first ballot, the two candidates with the highest number of votes shall be placed on a run-off ballot.
  - 3. Any officer vacancy where there is only one nominee, the elections chair will declare that candidate elected.
  - 4. Any Board vacancy where there is only one nominee, the elections chair will declare that candidate elected.
- C. If the Elections and Surveys Committee cannot validate the election results due to suspected election improprieties, the Chairperson of the Election Committee shall notify the Board of Directors. The Board of Directors shall conduct an investigation and either validate the election results, order a new election, or order a new election and disqualify certain candidates. The decision of the Board of Directors can be appealed to the Representative Council.

## SECTION III: GENERAL ELECTIONS

- A. General Elections shall:
  - 1. Be conducted at each worksite no more than forty (40) days following the annual general membership meeting.
  - 2. Be conducted by secret, individual ballot.

## SECTION IV: SPECIAL ELECTIONS

Special Elections shall be conducted upon the direction of the Board of Directors.

## SECTION V: PRESIDENTIAL DELEGATE POSITIONS

All candidates for the office of President shall simultaneously run for an FEA Delegate position, an NEA Delegate position, and an AFT Delegate position.

# **ARTICLE VII - MEETINGS**

## SECTION I: GENERAL MEMBERSHIP

- A. There shall be one (1) regular meeting of the membership of the Association to be scheduled prior to May 1.
- B. Special meetings for a specific purpose shall be called by the President if the need exists or upon the written request of fifty (50) members, or upon the majority vote of the Representative Council or two-thirds (2/3) vote of The Board of Directors.

SECTION II: REPRESENTATIVE COUNCIL

There shall be one (1) regular meeting of the Representative Council each month except in June and July. These meetings may be county-wide or within the Districts.

SECTION III: BOARD OF DIRECTORS

Regular meeting of the Board of Directors shall be held monthly during the school year, or at any other time at the call of the President or at the call of the majority of the Board members.

**ARTICLE VIII - QUORUM**

SECTION I: MEETINGS

A. General Meetings of the Association

A quorum shall be the number of members present at the general meeting.

B. Representative Council

A quorum of the Representative Council shall be the number of members present at the meeting.

C. Board of Directors

A quorum shall consist of a majority of the voting members of the Board.

**ARTICLE IX - FISCAL AND MEMBERSHIP YEAR**

The fiscal and membership year of the Association shall be from September 1 to August 31.

**ARTICLE X - DUES**

SECTION I: DUES

A. State and national affiliate dues shall be as established by the respective representative assemblies. Local dues shall be in the amount determined by the Representative Council.

B. Local Association dues shall be payable at the beginning of each school year or upon acceptance of a position during the school year.

C. Dues may be paid by:

1. Payroll Deduction

2. Cash dues payments are to be paid in full or at the rate of one-half at the beginning of the school year, with the remainder being paid by November 30th. Any person whose dues are not paid by December 31st, relinquishes his/her position of active membership in the Association until his/her dues are paid in full. Members joining after December 31st will pay a prorated amount.

C. Dues for Associate members shall be one-half (1/2) of the full amount paid by active members.

SECTION II: PRO-RATED DUES

Any teacher who has not dropped Association membership during the current or immediate past membership year, and desiring membership, shall, upon signing a payroll deduction form, be assessed the amount of dues remaining through payroll deduction.

**ARTICLE XI - AFFILIATION**

SECTION I: ORGANIZATIONS

Affiliations with councils or organizations shall be determined by the Board of Directors.

SECTION II: CAUCUSES

The Board of Directors may affiliate special interest caucuses of CTA members in accordance with the following criteria:

1. Each Caucus seeking affiliation shall file a written application, along with copies of its Constitution and/or Bylaws to the Board of Directors.
2. Caucuses must require Association membership as a prerequisite for Caucus membership.
3. The goals, objectives, Constitution and Bylaws must be compatible with those of the Association.
4. Caucuses shall not involve themselves in any independent, external political activities.

**ARTICLE XII - RULES FOR AMENDING**

SECTION I: AMENDING ARTICLES OF INCORPORATION

The Articles of Incorporation for this Association may be amended as set forth in Article IX, Section I and II of the Articles of Incorporation.

SECTION II: AMENDING BYLAWS

- A. Amendments to the Bylaws of this Association may be proposed by:
  1. A majority of the Board of Directors.
  2. A petition signed by fifteen (15) members.
  3. Bylaws Committee.
- B. All proposed amendments approved by a majority of the Board or introduced by petition shall be presented to the Bylaws and Policies Committee for legal clarification and terminology by December 1st.
- C. A copy of all proposed amendments and any recommendations of the Bylaws and Policies Committee shall be presented to the Board. The Board will make any recommendations on the proposed amendments by the next meeting.
- D. A copy of the proposed Bylaw amendments and any recommendations of the Board of Directors shall be presented to the Representative Council at its next regular meeting following the Board's meeting that addresses these amendments.

- E. Any action of the Representative Council on the proposed Bylaw Amendments including recommendations and amendments, shall take place at the next regular meeting of the Representative Council. The proposed Bylaw amendments may be amended by a majority of the Representative Council present and voting.
- F. A final copy of the proposed Bylaw Amendments and any recommendations of the Representative Council shall be printed in an official publication and presented to each member at least twenty (20) days prior to consideration.
- G. The final proposed Bylaw Amendments must be passed by a majority of the members voting on the proposed Bylaw Amendments.
- H. Except when an amendment carries a separate effective date to the contrary, all amendments adopted by the membership shall become effective on June 15 following their adoption.

### **ARTICLE XIII - RULES OF ORDER**

ROBERTS' RULES OF ORDER, NEWLY REVISED shall be the authority on all questions of procedure not specifically stated in the Articles of Incorporation or the Bylaws of this Association.