

**Bylaws, Constitution, and Standing Rules of the  
VICTOR VALLEY COLLEGE FACULTY ASSOCIATION**

**I. NAME AND LOCATION**

The name of this Association shall be the Victor Valley College Faculty Association/CTA/NEA, Local 1169 in San Bernardino County, CA.

**II. PURPOSES**

The primary purposes of this Association shall be:

- ❖ To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment
- ❖ To form a representative body capable of developing group opinion on professional matters to speak with authority for teachers
- ❖ To provide an opportunity for continuous study and action on problems of the profession
- ❖ To provide a means of representation for its ethnic-minority members
- ❖ To promote professional attitudes and ethical conduct among members
- ❖ To encourage cooperation and communication between the profession and the community
- ❖ To foster good fellowship among members

**III. AFFILIATION WITH CTA/NEA**

- ❖ The Victor Valley College Faculty Association shall be a chartered chapter of the California Teachers Association (CTA)
- ❖ The Victor Valley College Faculty Association shall be an affiliated local association of the National Education Association (NEA)

**IV. MEMBERSHIP**

- ❖ Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of Victor Valley College district(s), 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 by the teacher bargaining unit
- ❖ Newly retired faculty teaching at a reduced load (20%) will be given the opportunity to become members at a reduced membership dues rate as long as they are receiving a percentage of their full time salary
  - ❖ Membership may be granted upon initiation of payroll deduction or upon payment of annual Local Chapter/CTA/NEA dues. The Chapter Local shall require membership in CTA and NEA. The term of membership is from August 1 to July 31 of each school year
  - ❖ The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members
  - ❖ Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association
  - ❖ An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association
  - ❖ Active members shall adhere to The Code of Ethics of the Education Profession. (See Appendix A)
  - ❖ 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
  - ❖ No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure

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

- ❖ The Victor Valley College Faculty Association is an Agency Fee Institution
- ❖ The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA
- ❖ 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 at the last regular meeting of the school year
- ❖ The chapter (local) shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full Chapter Local (VVCFA)/CTA/NEA dues
- ❖ Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls

## **VI. POLICY-MAKING BODY**

- ❖ The policy-making body of VVCFA shall be the general membership
- ❖ Meetings of the VVCFA shall be held as often as business requires but not less than once each semester. The time and place of such meetings shall be decided by the Executive Board
- ❖ Special meetings of the VVCFA may be called by the President or by petition containing the signatures of twenty percent (20%) of the membership
- ❖ Special meetings of the Association shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted
- ❖ Notices and agendas for all meetings shall be placed in VVCFA members at least two days prior to the date of the meeting
- ❖ For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of meeting dates, places, and times
- ❖ A quorum for all meetings of the Association shall consist of a majority of area representatives

## **VII. FACULTY REPRESENTATIVES**

- ❖ Faculty representatives shall be elected by and from the Active membership for each faculty area by open nominations and secret ballot
- ❖ Each faculty shall be entitled to at least one representative. The Faculty Areas shall be established by the Executive Board dependent upon the number of faculty in each area
- ❖ A vacancy shall be deemed to exist in the case of death, resignation, or inability to complete ANY of duties (see below) of the position of Faculty Representative of the Association
- ❖ Vacancies may be filled by properly elected or appointed replacements

### **Duties of Faculty Representatives:**

- ❖ Attend Regular and Special Association Meetings. Three absences without designating a proxy, can lead to a dismissal as a Faculty Representative
- ❖ Conduct constant and ongoing liaison between the Rep Council and the Active members
- ❖ Serve as the official channel through which written communications and publications can be easily transmitted between the Association and the Active members
- ❖ Represent the views and input of the Active membership of the faculty in votes taken in the Rep Council, conducting frequent and regular polls of such membership for this purpose

- ❖ Perform such additional duties as prescribed by the Executive Board

## **VIII. OFFICERS**

- ❖ The officers of the VVCFA shall be a President, a Vice-President, a Secretary, a Treasurer, and the immediate Past President. 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
- ❖ These officers shall be elected with open nominations and by secret ballot
- ❖ It shall be known to all faculty that the elected Vice-President shall serve two years in that office, two years as President, and then two years as immediate Past President for a total of six years of service
- ❖ Officers shall be elected for a term of 2 year(s), commencing on August 1 of any calendar year and ending on July 31 two years later, with the exception of the Vice-President, who will serve as indicated above
- ❖ 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. In the event of 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 meeting of the Association shall be called to elect a successor
- ❖ The President shall be the chief executive officer of the Association and its policy leader
- ❖ Neither the President nor the Vice President of the Faculty Association can hold the office of the president or vice president in any other faculty organization on campus

### **The President shall:**

- ❖ Preside at all meetings of the Association and Executive Board
- ❖ Prepare the agenda for the meetings of the Association and the Executive Board
- ❖ Be the official spokesperson for the Association
- ❖ Be familiar with the governance documents of the Association, CTA, and NEA
- ❖ Appoint all members of the bargaining team, with the approval of the Executive Board
- ❖ Call meetings of the Executive Board, which shall meet at least twice a semester
- ❖ Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association
- ❖ When feasible, attend meetings of the Service Center Council of which the Association is a part
- ❖ Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members of the Representative Council, the Executive Board, and membership when appropriate

**The Vice-President shall:**

- ❖ Serve as assistant to the President in all duties of the President
- ❖ Assume the duties of the President in the absence of the President
- ❖ Appoint all chairpersons and members of committees
- ❖ Serve as coordinator of committee activities at the direction of the President
- ❖ Keep an accurate roster of all committees
- ❖ Assume the duties of the chair of the election committee

**The Secretary shall:**

- ❖ Manage the minutes of the proceedings of each meeting, regular or special, of the Association
- ❖ Be responsible for the distribution of minutes for all meetings to the members
- ❖ Keep an accurate roster of Association membership
- ❖ May elect to take over the responsibilities of editing the Association Newsletter
- ❖ Any other duties the VVCFA president shall assign

**The Treasurer shall:**

- ❖ Receive all funds belonging to the Association and be responsible for their safekeeping and accounting
- ❖ Pay out such funds upon orders of the President
- ❖ Provide a written report on the financial status of the Association at each Association meeting
- ❖ Upon approval of the Executive Board, be responsible for calling for an annual and independent audit of the books of the Association and distributing a summary of this audit to the membership
- ❖ Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law
- ❖ May elect to take over the responsibilities of editing the Association Newsletter
- ❖ Any other duties the VVCFA president shall assign.

**The Past President shall:**

- ❖ Serve as a resource person for the Executive Board
- ❖ Serve as Parliamentarian at Association meetings

## **IX. EXECUTIVE BOARD**

- ❖ The Executive Board shall be composed of the elected officers of the Association
- ❖ The Executive Board shall meet prior to each regular meeting of the Association and at such other times as the President may deem necessary
- ❖ The Executive Board shall Coordinate the activities of the Association
- ❖ The Executive Board shall Recommend a budget for the Association to the membership
- ❖ The Executive Board shall direct the bargaining activities of the Association, subject to the policies established by the membership
- ❖ The Executive Board shall approve appointment approval and removal of bargaining team members by a 2/3 majority vote
- ❖ The Executive Board shall approve all appointments to committees, including chairpersons
- ❖ The Executive Board shall adopt grievance procedures
- ❖ The Executive Board shall direct the grievance activities of the Association
- ❖ The Executive Board shall exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws
- ❖ The Executive Board shall adopt the standing rules of the Association
- ❖ The Executive Board shall act for the Association when school is not in session
- ❖ A quorum for meetings of the Executive Board shall be a majority of the Executive Board

## **IX. BARGAINING**

- ❖ The Bargaining Team, of necessity, shall be a confidential body
- ❖ The Bargaining Team and such alternates as the Executive Board deems necessary shall be appointed by the President and approved by the Executive Board
- ❖ The President shall appoint all members and the chairperson of the Bargaining Team with the concurrence of the Executive Board
- ❖ Vacancies created by resignation or inability to serve shall be filled by the Executive Board as deemed necessary by the Bargaining Team
- ❖ The Executive Board, by two-thirds (2/3) majority, may remove a member of the Bargaining Team
- ❖ The duties of the Bargaining Team are to represent and to bargain for the bargaining unit. The team shall negotiate a contractual agreement between Victor Valley College Board of Trustees and the VVCFA

- ❖ 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 membership
- ❖ Faculty in the bargaining unit shall be surveyed annually to determine the contents of the proposed contract demands, and the contract proposal for the unit shall be approved by the Association members
- ❖ The Bargaining Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require
- ❖ The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership
- ❖ The team shall consist of a chief negotiator and as many qualified members as deemed necessary. The chief negotiator shall be selected by the Bargaining Team
- ❖ Agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that membership

## **X. GRIEVANCE PROCESSING**

- ❖ The Grievance Committee is charged with maintenance of the most recent contract between the Victor Valley College Board of Trustees and the Association
- ❖ The Executive Board shall adopt Standing Rules setting forth the procedures for grievance processing
- ❖ These procedures shall include, but not be limited to, the following:
  - Provide for representation to assist all members of the bargaining unit(s) in processing grievances; the committee shall investigate the grievant's claim in order to secure an equitable solution at the lowest possible administrative level
  - Training for handling grievances
  - Evaluation of the Association's grievance policies and procedures
- ❖ Although the committee represents the interests of the unit member, it shall retain the right to reject the grievant's claim after a thorough review. In such an event, the committee and the Association shall be under no obligation to serve as an advocate for the grievant but the Association remains obligated to assist the grievant by ensuring that all timelines and steps in the grievance procedure are observed

## **XI. NOMINATIONS AND ELECTIONS**

- ❖ The Elections Committee shall be appointed by the Executive Board and chaired by the Vice-President
- ❖ Elections shall be conducted with:
  - Open nomination procedure
  - Secret ballot
  - All member vote
  - Record of voters receiving or casting ballots
  - Majority of votes received, unless otherwise specified
- ❖ 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
- ❖ NEA State Delegate elections shall be conducted in accordance with CTA guidelines
- ❖ NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines
- ❖ The duties of the Elections Committee shall be to:
  - Ensure that all chapter/CTA/NEA election codes and timelines are followed
  - Carry out election timelines as stated in Standing Rules
  - Develop and carry out timelines and procedures
  - Prepare ballots for election of officers and such other elections as may be necessary
  - Count the ballots and certify the results
  - Handle initial challenges

## **XII. PARLIAMENTARY AUTHORITY**

*Robert's Rules of Order, Newly-revised, latest edition*, shall be followed at all meetings of the Association and those of the Executive Board.

## **XIII. AMENDMENTS**

These Bylaws may be amended by the Executive Board or by petition by 30% of Association members. All proposed amendments shall be submitted in writing to the Vice-President and made available to all Association members at the meeting preceding the one at which it is to be voted upon. An amendment shall be considered ratified if it receives a simple majority of cast votes.

## STANDING RULES

### NOMINATIONS AND ELECTIONS

*Standing Rules are the day-to-day rules by which the organization runs its meetings and business. They should be easily changed in order to adapt to changing conditions and policy (example: simple majority vote of the Executive Board).*

#### ❖ Elections Committee

- There shall be an Elections Committee
- The Elections Committee shall be appointed by the current Vice-President and approved by the Executive Board
- The Elections Committee shall be composed of at least three members
- The chair of the Elections Committee shall be the Vice-President
- A member shall abstain from participation in Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate

#### ❖ Election Requirements

- The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). Only reasonable qualifications for office such as membership in the chapter may be required
- Every member shall be assured of voting by secret ballot
- There shall be at least a fifteen (15) day period between notice of election and the actual voting
- All members shall receive a ballot
- A chapter shall provide reasonable means for all members to vote, and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly scheduled voting place
- All elections shall be decided by a majority of votes cast, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the two candidates receiving the highest number of votes

## ❖ **Announcement**

- The announcement of election shall include the offices, length of terms, and the election timeline
- Officers shall be elected for a term of two years, commencing on August 1 and ending on July 31 two years later. With the exception of the Vice-President, who will automatically ascend to the Presidency and then to the position of immediate Past President. Members should be reminded to take this into account when voting for the office of Vice-President
- The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy

## ❖ **Timeline**

- **January-February:** nominations from faculty on the offices of Vice President, Secretary, and Treasurer are solicited. The Executive Board Vice-President shall serve as the chair of the Elections committee
- **Late Feb-March:** Elections Committee presents written slate to membership
  - Not less than five days later, open nominations to be taken from the floor (can be done at the next Association meeting). Nominees on ballots are given the opportunity to campaign or tell faculty (3-5 minutes) why they are running and why they would be the best candidate
  - Ballots will be prepared under the direction of the Association Vice-President
- **Late-March:**
  - The VVC faculty ballot box will be placed in the faculty mail area
  - The key will be retained by the Executive Board President
  - A second key is to be held in the Faculty Association Office in case of absence of the President
  - All ballots are to remain in the box until the end of the election
  - Faculty will be given at least one week for voting
  - Election takes place by secret ballot
  - All ballots are to be signed on the outside of the large envelope by the voting member. Without a signature, the vote is ineligible to be counted (NO EXCEPTIONS TO THIS

REQUIREMENT). Instructions will be typed on the outside of the envelope and on the ballot

- After the voting deadline has passed, the Executive Board (three members) will count the votes. Ballots and results will be held in the Faculty Association Office for a minimum of six months (for review by any faculty member, if requested)
- **April:** election results will be presented to the membership
- ❖ Special elections and run-offs will be conducted by the Executive Board
- ❖ Deadline for filing of challenges: no later than seven days after the election results are announced
- ❖ **Endorsement and Finances**
  - The Executive Board is prohibited from endorsing and/or campaigning for or against any nominee or group of nominees on the ballot. The Executive Board (as group) is to remain impartial. However, as individual Executive Officers may as faculty members, campaign for or endorse nominees
  - Chapter moneys received through dues, assessment or similar levy shall not be used to promote any candidate
  - A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit
- ❖ **Candidate's Rights**
  - Privileges extended to one candidate shall be extended to all candidates
  - Each candidate shall receive a copy of the election timeline, procedures and guidelines
  - Each candidate shall have the right of access to a list containing the names and last known addresses of all members
  - Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements
- ❖ **Ballot**
  - The names of the candidates shall be printed on the ballot in (*CTA election alphabet, in alphabetical order or in an order pre-selected by the unit for one year*). The name of each candidate shall be as printed on the

declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot

- The ballot shall state the name of the office, the term, and the names of the candidates
- The ballot shall include space for a write-in candidate, except in run-off elections

#### ❖ **Distribution of Ballots and Method of Voting**

- Each member shall receive a ballot
- Voting shall be at the specific school voting site: the VVC faculty mailroom
- The marked ballot must be returned to the ballot box
- The voter shall be provided with the following:
  1. A ballot
  2. Instructions on folding of the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope addressed to the chapter; and deadline date for receipt of the voted ballot at the chapter office
  3. A small envelope (inner envelope) in which to place the voted ballot
  4. A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.
- At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.
- The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters
- All inner envelopes shall be placed in a separate receptacle
- The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.

#### ❖ **Counting of Ballots**

- Upon receipt of ballots the Elections Committee shall count the ballots in a secure area with only the Elections Committee members
- The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
  - a. Blank ballot
  - b. More ballots than signatures

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

#### ❖ **Observers**

- Each candidate shall be allowed to have an observer at the vote counting site and shall give the name(s) of the observer to the Elections Committee before counting

- An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results

#### ❖ **Challenge Procedure**

- A challenge cannot be initiated until after the results of the elections have been posted
- The challenging party (ies) must notify the unit president of a challenge in writing within seven (7) days after the announcement of the results of the election

The notification must:

- a. Specify which requirement has been violated.
  - b. Include evidence, insofar as possible.
  - c. List names and addresses of parties who can give evidence.
- Within seven (7) calendar days after receipt of the challenge, the unit Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation of the challenged election for the purpose of ascertaining the facts. Following the investigation to ascertain the facts, the Elections Committee will attempt to reach resolution and issue a decision regarding the validity of the challenge based on whether the alleged violation may have affected the outcome of the election. A copy of the recommendation will be sent to the president of the unit for disposition
  - If an individual wishes to appeal the decision of the Elections Committee, or if the unit Elections Committee fails to act, he/she may file an appeal within seven (7) calendar days from the date of the filing of the challenge by writing to the CTA President
  - The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual

#### ❖ **Initiative Procedures**

- The active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process
- A member shall file a notice of the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation
- The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice

- The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 45 school days shall be permitted to obtain the signatures of at least 10 percent or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot
- The circulators shall present to the chapter president the petition(s) containing original signatures
- The chapter president shall have 5 school days in which to verify the membership of the signers of the petition
- If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional 7 school days in which to gather and submit the necessary signatures. The chapter president shall have 3 school days in which to verify the membership of the additional signers
- The chapter president shall cause a ballot to be furnished to the members no less than 15 school days after verification of membership, provided that the period that school is officially not in session shall not be included in this count
- Regular election procedures (e.g., election of officers) shall be followed including voting times
- The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified

#### ❖ **Referendum Procedures**

- Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the membership upon two-thirds vote of the Representative Council at any valid meeting
- The referendum action shall prescribe the exact wording of the question to be posed to the membership on the ballot
- The chapter president shall cause a ballot to be furnished to the members no less than 15 school days after action by the Representative Council, provided that the period that school is officially not in session shall not be included in this count
- Regular election procedures (e.g., election of officers) shall be followed including voting times
- The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified

#### ❖ **Recall Procedures**

- The active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's active members
- A recall of any person in a Faculty Association elected position may be initiated by a petition signed by one-third (1/3) of the active membership

of the Association. A statement of the reasons for the proposed recall petition is required

- The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice
- The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 60 school days shall be permitted to obtain the signatures of at least 30 percent or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot
- The circulators shall present to the chapter president the petition(s) containing original signatures
- The chapter president shall have 10 school days in which to verify the membership of the signers of the petition
- If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional 15 school days in which to gather and submit the necessary signatures. The chapter president shall have 5 school days in which to verify the membership of the additional signers
- The chapter president shall cause a ballot to be furnished to the members no less than 20 school days after verification of membership. The period that school is officially not in session shall not be included in this count
- Each person named in the recall petition shall have the right to make a rebuttal statement which would be distributed to his/her constituency at least seven (7) days before the recall election
- Regular election procedures (e.g., election of officers) shall be followed including voting times. A two-thirds majority ( $2/3$ ) majority vote of the membership shall be necessary to affect the recall
- Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association
- The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified
- Any vacancy, in any office, created by recall shall be filled according to the procedures provided above for election of officers

## APPENDIX A

### **Code of Ethics of the Education Profession**

#### **Preamble**

*The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of the democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.*

*The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.*

*The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than the one specifically designated by the NEA or its affiliates.*

#### **PRINCIPLE I Commitment to the Student**

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator--

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student's access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--

- a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
  8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

## **PRINCIPLE II Commitment to the Profession**

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

*Adopted by the NEA 1975 Representative Assembly*