

**South Orange County Community College District  
Faculty Association/CTA/CCA/NEA**

# **Bylaws and Standing Rules**

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## **I. Name and Location**

The name of this Association shall be the SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT FACULTY ASSOCIATION in Orange County, hereinafter denoted as the "SOCCCDFA," the "SOCCCD Faculty Association," or "the Association."

## **II. Affiliation with CCA/CTA/NEA**

1. The SOCCCD Faculty Association shall be a chartered chapter of the Community College Association (CCA) and California Teachers Association (CTA).
2. The SOCCCD Faculty Association shall be an affiliated local association of the National Education Association (NEA).
3. The SOCCCD Faculty Association may add any other chapter/local affiliation, subject to approval of a simple majority vote of the membership.

## **III. Purposes**

The primary purposes of this Association shall be:

1. To be the exclusive representative of all full- and part-time faculty members 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;
2. To form a representative body capable of developing group opinion on professional matters to speak with authority for the faculty of the South Orange County Community College District;
3. To provide an opportunity for continuous study and action on problems of the profession;
4. To provide a means of representation for all members, including those from protected categories;
5. To promote professional and ethical conduct among members;

6. To encourage cooperation and communication between the profession and community; and
7. To foster collegiality among the members.

#### **IV. Membership**

1. Membership shall be open to any person who is engaged in or on a limited leave of absence from professional educational work, is a faculty employee of the South Orange County Community College District, and whose primary assignment does not include supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the exclusive bargaining unit of the faculty.
2. Membership in the Association may be granted upon submission of a completed SOCCCDFA Membership Enrollment Form to the SOCCCDFA Membership Chair, or by verification of active membership in another CCA/CTA affiliate. Active membership in CCA/CTA/NEA is granted upon initiation of payroll deduction, or payment of those organizations' annual dues.
3. The right to vote and to hold elective office or appointive position within the Association shall be limited to members.
4. Members shall be eligible to vote in all elections, to hold elective office or appointive position as specified in Sections VII and VIII, to receive special services, to obtain assistance in the protection of professional and civil rights, and to receive reports and publications of the Association.
5. The rights to and privileges of membership, voting, seeking office, or otherwise participating in the affairs of the chapter shall not be abridged in any way because of age, sex, gender identity, race, color, ethnic group, disability, marital status, national origin, or sexual orientation.
6. No member of the Association may be disciplined without a due-process hearing which shall include the established appellate procedure.
7. 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.

## **V. Dues and Assessments**

1. The basic annual dues for members shall be sufficient to cover the operating expenses of the Association, the dues of CCA/CTA and the dues of NEA.
2. The Association's portion of the basic annual dues shall be reviewed by the Representative Council by the last regular meeting of the academic school year.
3. Membership shall be continuous after initial enrollment until the member becomes delinquent or until a change in professional status shall make the member ineligible for membership. If by the last day of any month in the calendar year a member has not paid membership dues, that person will not be considered a member and shall lose all rights and privileges of membership until full payment is made.
4. A portion of membership dues may be designated for the SOCCCD Faculty Association Political Action Committee (PAC), the amount to be determined by the Representative Council annually. Members have the option of not contributing to the PAC, in which case that portion of their dues designated for the PAC will remain in the Association's general fund.

## **VI. Representative Council**

1. The policy-making body of the Association shall be the Representative Council. The Representative Council, comprised of members in good standing of the Association, derives its powers from and shall be responsible to the membership.
2. The Representative Council shall be composed of the following members:
  - a. The President, Vice President/President-elect, Secretary, Treasurer, Past-President, Membership Chair and Part-time Faculty Chair shall be voting members of the Representative Council. The Chief Negotiator and the Grievance Chair(s) shall be ex-officio non-voting members.
  - b. The full- and part-time faculty representatives shall be elected according to the procedures established in these by-laws (at any given Representative Council Meeting, the elected alternate may replace the regular representative; representatives, or alternates, must be physically present in order to cast a vote or votes).

- c. Committee chairs shall be ex-officio non-voting members of the Representative Council unless they also hold an elected position on the Representative Council.
  - d. CTA State Council Representatives and any members of the Association who hold CCA/CTA/NEA office or committee appointments shall be ex-officio non-voting members of the Representative Council.
3. The Representative Council shall do the following:
  - a. Establish Association policies and objectives;
  - b. Adopt the annual budget of the Association on or before the first regular Representative Council meeting of the fiscal year.
  - c. Approve the establishment or discontinuance of committees recommended by the Executive Committee;
  - d. Establish the local dues of the Association;
  - e. Establish bargaining priorities of the Association;
  - f. Approve Committee and Negotiation Team appointments;
  - g. Adopt the Standing Rules of the Association; and
  - h. Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these bylaws.
4. The Representative Council shall, if possible, meet at least once during each month of the academic year, whenever possible on the first Monday of the month.
5. Special meetings of the Representative Council may be called by the President or by the petition of twenty percent (20%) of the membership of the Representative Council.
6. Special meetings of the Representative Council shall be called for a specific purpose at which no business may be transacted other than that for which the meeting is called.
7. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two business days prior to the date of the meeting. Attachments to the agenda may be sent out before or distributed at the meeting.

8. For emergency meetings of the Representative Council during crises, the Executive Committee shall adopt procedures to notify representatives of meeting dates, places, and times.
9. A quorum for all meetings of the Representative Council shall consist of a majority of the weighted vote of the seated members of the Representative Council.

## **VII. Faculty Representatives**

1. Division or school Representative Council members shall be elected by and from the full-time membership for each division or school. Part-time Representatives shall serve at large, and will be elected by the part-time membership.
2. For the election of Representatives, if, in a given constituency, there are no declared candidates for the position of alternate Representative, and there are more candidates than available seats, the candidate(s) gaining the most votes will be the Representative(s), and the candidate(s) gaining the next highest number of votes will be the alternate Representative(s).
3. Members of the Representative Council shall serve a term of two years (except for the CTA State Council Representatives and members of the Association who hold CCA/CTA/NEA office or committee appointments whose terms are set by the CCA/CTA/NEA).
4. Vacant representative seats shall be filled according to the procedures established in the Standing Rules.
5. Faculty representatives shall do the following:
  - a. Attend all meetings of the Representative Council;
  - b. Conduct constant and on-going liaison between the Representative Council and their constituency;
  - c. Serve as an official channel through which written communications and publications can be easily and quickly transmitted between the Association and members;
  - d. Represent the view and input of the membership of the faculty within their constituency in votes taken in the Representative Council, conducting frequent and regular polls of the membership for this purpose;

- e. Perform such additional duties as prescribed by the Executive Committee.
6. Each division or school with at least three Association members will elect one representative to sit on the Representative Council. One alternate shall also be elected. Each Representative Council member shall be vested with a number of votes, based upon the number of full-time faculty members in their division:

<b>Number of Members in Division or School</b>	<b>Number of Votes per Representative</b>
3-9	one
10-16	two
17-23	three
24-30	four
31-37	five
38+	six

Any division or school with fewer than three Association members shall be allowed to cluster with another division/school to allow for full representation.

7. Part-time faculty will elect a number of representatives according to the following table and two alternates. Each representative elected based on the table below will have three votes. If the number of representatives falls below the number listed, the votes will be divided amongst those representatives remaining.

<b>Number of Part-time Members</b>	<b>Number of Representatives</b>
1-100	one
101-200	two
201-300	three
301-400	four
401-500	five
501+	six

8. Representative council member may apportion their votes as they see fit.
9. If any Representative Council member misses more than three regular meetings of the Representative Council during a single academic year, the Secretary will notify his/her constituency of the representative's absences. The constituency may elect to replace that representative according to the procedures specified in the Standing Rules.



## **VIII. Officers**

1. The Executive Officers of the Association shall be the President, Vice President/President-elect, Secretary, Treasurer, Past President, Membership Chair, and Part-time Faculty Chair.
2. With the exception of the Part-Time Faculty Chair, who must be a part-time faculty member, these Executive Officers shall be these Executive Officers shall be full-time faculty members, and shall remain members of the Association, CTA/CCA and NEA as a condition for nomination to, and service in, their respective positions during their terms of office. The President and Vice President/President-elect shall be tenured full-time faculty members.
3. With the exception of the Part-time Faculty Chair and Past President, these Executive Officers shall be elected by and from the membership of the Association. The Part-time Faculty Chair shall be elected by part-time members only. Such elections shall be conducted according to the procedures specified in the Standing Rules. Officers and Representative Council members shall be elected for a term of two years, commencing on the first day after the last day of instruction of the spring semester in which the elections have taken place.
4. The terms of the President and Vice President/President-elect will be for two years. Thus, the Vice President/President-elect will serve for two years before assuming the Presidency.
5. A vacancy exists in the case of death, resignation, or inability to serve in any of the offices of the Association. If a vacancy occurs in the office of the President, the Vice President/President-Elect shall assume the office. If a vacancy occurs in other offices, an election shall occur at the next scheduled meeting of the Representative Council. In the event that the immediate Past President is unable to serve, the President shall appoint another Past President as a replacement.
6. The President shall be the chief executive officer of the Association and be its policy leader. The President shall do the following:
  - a. Preside at all meetings of the Association, Executive Committee and Representative Council;
  - b. Prepare the agenda for the meetings of the Association, Executive Committee and Representative Council;

- c. Be the official spokesperson for the Association;
  - d. Represent the Association at District meetings as appropriate, or appoint designees;
  - e. Appoint the Chief Negotiator and Negotiating Team members, subject to approval of the Representative Council;
  - f. Provide general direction to the negotiating team;
  - g. Appoint a Grievance Chair at each college;
  - h. Provide support to the Grievance Chair(s) when necessary;
  - i. Be familiar with the governance documents of the Association, the CTA/CCA, and the NEA;
  - j. Have the option of serving as a local delegate to the NEA Representative Assembly;
  - k. Appoint all chairs and members of committees, subject to approval of the Representative Council, unless otherwise specified in the bylaws;
  - l. Oversee Faculty Association committees
  - m. Call meetings of the Association, Executive Committee and the Representative Council;
  - n. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
  - o. Attend meetings of the local and CTA Service Center Councils;
  - p. Determine reassigned time or stipends with approval of the Executive Committee.
7. The Vice President/President-elect shall do the following:
- a. Assist the President;
  - b. Assume the duties of the President in the absence of the President;
  - c. Represent the Association as the President's designee at meetings as needed;
  - d. Have the option of serving as a local delegate to the NEA Representative Assembly;
  - e. Chair the Faculty Association Organizing Committee;
  - f. Assume responsibilities for special projects as needed;
  - g. Attend local and CTA Service Center meetings.
8. The Secretary shall do the following:
- a. Keep a careful and accurate record of the proceedings of each regular or special meeting of the Association and Representative Council;

- b. Be responsible for distribution of all notices, agendas, and minutes of meetings to members of the Representative Council and to the membership when appropriate;
  - c. Keep an accurate roster of the Association officers, representative council, and committee members of the Association;
  - d. Carry on the correspondence pertaining to the affairs of the Association as directed by the President;
  - e. Maintain and update the Association website;
  - f. Oversee the production and distribution of Association newsletters to members;
  - g. Maintain additional Association records as needed;
  - h. Chair the Faculty Association Communications Committee.
9. The Treasurer shall do the following:
- a. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
  - b. Disburse funds upon approval of the President or designee and be responsible for their accounting;
  - c. Maintain checking, savings or investment accounts for the Association, under the direction of the Executive Committee;
  - d. Sign all checks or drafts, and obtain authorized signatures of appropriate Executive Committee members on checks;
  - e. Prepare a monthly written budget report for each meeting of the Representative Council;
  - f. Be responsible for all fiscal reports required by CTA/CCA or NEA and local, state and federal agencies,
  - g. Arrange for an independent annual financial audit of the Association, and the distribution of a summary of this audit to the Representative Council;
  - h. Chair the Faculty Association Budget Advisory Committee.
10. The Membership Chair shall do the following:
- a. Maintain a current list of all Association members, fee payers, and religious objectors and their contact information;
  - b. Take responsibility for membership development;
  - c. Collect and process membership applications;
  - d. Carry on other duties related to the membership of the Association as directed by the President;

- e. Chair the Faculty Association Membership Committee;
  - f. Respond to inquiries related to membership;
  - g. Communicate with CTA/CCA on membership procedures and issues.
11. Past President shall do the following:
- a. Advise the President;
  - b. Act as the President's designee as needed;
  - c. Assume responsibilities for special projects as needed;
  - d. Attend Executive Committee and Representative Council meetings.
12. Part-time Faculty Chair shall do the following:
- a. Attend Executive Committee and Representative Council meetings;
  - b. Respond to part-time faculty questions and concerns;
  - c. Represent the interests of the part-time faculty;
  - d. Chair the Part-time Faculty Advisory Committee;
  - e. In consultation with the Executive Committee, plan part-time member activities.

## **IX. Executive Committee**

1. The Executive Committee of the Association shall consist of the Executive Officers (See Article VIII) and the Chief Negotiator, who will serve as an ex-officio member. A quorum shall consist of any four of the Executive Officers.
2. The Executive Committee shall meet before each regular meeting of the Representative Council and/or at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Committee.
3. The duties of the Executive Committee shall be to:
  - a. Coordinate the activities of the Association;
  - b. Assume the responsibilities of the Representative Council outside of the fall and spring semesters;
  - c. Set priorities for bargaining activities and directs grievance processing of the Association, subject to policies set by the Representative Council;
  - d. Recommend a budget for the Association to the Representative Council;

- e. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council.
- f. Inform and engage members in regards to laws and regulations at a local and state level as it may affect work conditions.

## **X. Negotiating Team**

1. Members and any alternates of the Negotiating Team, including the Chief Negotiator, shall be appointed by the President, in consultation with the Executive Committee, and approved by the Representative Council.
2. Vacancies on the Negotiating Team created by resignation or inability to serve shall be appointed by the President, in consultation with the Executive Committee, and approved by the Representative Council.
3. The Representative Council, by a two-thirds (2/3) majority, may remove a member of the Negotiating Team and appoint a replacement as recommended by the Executive Committee. (This provision does not replace section VIII, 6, enabling the Representative Council by a majority vote to remove and require reimbursement for non-performance of duty.)
4. The Chief Negotiator shall do the following:
  - a. Direct negotiations;
  - b. Make recommendations to the President regarding the composition of the Negotiating Team;
  - c. Coordinate the activities and schedules the meetings of the Negotiating Team;
  - d. Serve as the primary contact with the District regarding negotiated issues;
  - e. Serve as the primary spokesperson for the Negotiating Team;
  - f. Provide regular updates to the Executive Committee and Representative Council regarding negotiations;
  - g. Coordinate training for the members of the Negotiating Team.
5. The duties of the Negotiating Team are to represent and to bargain for the full- and part-time faculty of the South Orange County Community College District.

## **XI. Negotiations**

1. The Negotiating Team shall follow priorities as set by the Executive Committee, subject to policies set by the Representative Council.
2. The Negotiating Team shall survey all full- and part-time faculty members to determine the contents of the initial bargaining proposal.
3. The Negotiating Team shall report its activities to the Executive Committee and to the Representative Council, as those bodies so require.
4. The Executive Committee shall provide for the dissemination of information regarding bargaining activities of the Negotiating Team to the general membership.
5. The final contract proposal shall be submitted to the Representative Council for approval prior to ratification by the Association members.
6. Agreements reached between the Negotiating Team and the Board of Trustees or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the Association members.
7. Ratification of the contract agreement shall follow a general meeting of the membership.
  - a. The proposed contract agreement and notification of the general meeting shall be made available to the membership ten (10) days preceding the general meeting.
  - b. Ratification of the contract agreement shall be by a simple majority of all votes cast by members.
  - c. The Executive Committee shall establish provisions for voting by absent members or those on official leave.
8. Following ratification of the contract, the Association President, Chief Negotiator, and one part-time faculty representative, appointed by the President, shall serve as ongoing members of the Contract Implementation and Compliance Committee. This committee shall meet with District representatives on an as needed basis.

## **XII. Grievance Processing**

1. The Association shall protect the rights of all faculty members under the Academic Employees Master Agreement, following procedures as established in the Master Agreement.
2. The President, in consultation with the Executive Committee, will appoint a full-time, tenured faculty member at each college to serve a two-year term as Grievance Chair.
3. Grievance Chairs will participate in grievance training.

## **XIII. Nominations and Elections of Officers and Representatives**

1. Nominations for office shall be made as follows:
  - a. Any active member, subject to the provisions of Article VIII, may have his/her name placed on the ballot.
  - b. Any member, with the consent of the nominee, may place the name of any active member in nomination.
2. Elections of Executive officers and NEA Delegates shall be conducted in the spring semester by secret ballot of the general membership.
3. The President shall appoint an election committee and chairperson to conduct all elections of the Association.
4. The Elections Committee shall be composed of at least three members.
5. A member of the Elections Committee shall not be a member of the Executive Committee or a candidate for office.
6. The duties of the Election Committee shall be to:
  - a. Announce elections;
  - b. Oversee the preparation and distribution of ballots;
  - c. Oversee the collection, tally and certification of all ballots;
  - d. Announce the results of elections;
  - e. Ensure that ballots are available for one year following the election;

- f. Recommend to the Representative Council appropriate election timelines, subject to the Standing Rules of the Association.
7. The Elections Committee shall ensure that all SOCCCDFA/CTA/CCA/NEA election codes and timelines are followed.
8. All active members of the Association and relevant constituency are eligible to vote.

#### **XIV. Recall Elections**

1. A recall of any person in an elective position may be initiated by a petition signed by one-third (1/3) of the membership of his/her constituency. A statement of the reasons for the proposed recall shall be part of the recall petition.
2. Recall elections shall be by secret ballot. (See also Appendix A for specific procedures.)
3. A recall election is declared successful when at least two-thirds (2/3) of a quorum of that officer's or Representative's constituency vote in favor of the recall. A quorum is defined as fifty percent plus one (50% plus 1) of all active members in the constituency voting.

#### **XV. Committees**

1. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Representative Council or the President, subject to approval by the Representative Council.
2. Each committee shall submit periodic reports to the Representative Council.

#### **XVI. Compensation**

1. The following positions will be compensated:
  - a. Officers
  - b. Part-time Representative Council members
  - c. Part-time faculty members appointed to committees
  - d. Chief Negotiator
  - e. Negotiating team members
  - f. Grievance Chairs



## **XVII. Meetings of the General Membership**

1. Meetings of the Association may be called by the President, Representative Council or by written petition of twenty percent (20%) of the membership.
2. Except during crisis situations, notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all members of the Association at least two days prior to the meeting.
3. For emergency meetings during crisis situations, the Representative Council shall adopt procedures to notify the Association membership of meeting dates, places, and times.

## **XVIII. Parliamentary Authority**

1. Robert's Rules of Order, newly revised, latest edition, shall be used to decide matters of procedure at meetings of the Association and the Representative Council.

## **XIX. Amendments**

1. Amendments to these bylaws shall be recommended by the Representative Council and approved by a two-thirds (2/3) vote of the members voting.

**Appendix A:**  
**Standing Rules for Election and Recall of Officers and Representatives**  
(Revised 4/4/16)

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**I. Regular Elections**

1. General Provisions

- a. Officers and Representative Council members shall be elected by and from the active membership in good standing of the Association. Such elections shall be by open nominations and secret ballot.
- b. All active members in good standing shall be eligible to be elected to executive office or to the Representative Council.
- c. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). Nominations for office are to be submitted to the Election Committee.
- d. Every active member shall be assured of voting by secret ballot. If the election is conducted by website, the website will have provisions to notify each member of the opportunity to vote by an e-mail message addressed to each member's official, District provided e-mail address. Only official, District-provided e-mail addresses will be used. The website will maintain sufficient security provisions to assure that all votes are secure and remain private, and that each member may vote only once.
- e. There shall be at least a fifteen- (15) day period between notice of election and the actual voting.
- f. Voting shall be by ballot, which may be distributed on paper and collected through secure ballot boxes, or distributed and collected through a secure, reliable, third party hosted website.
- g. For each Representative Council position, a ballot may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of representative seats to be filled.
- h. The Association shall provide means for all members to vote (including vote by mail or website), and, if the election is conducted by paper ballot, it shall be the responsibility of the member to notify the secretary if s/he desires a ballot at a site other than the regularly scheduled voting place. If the election is conducted by paper ballot, the ballot box(es) will be placed

in a convenient location or locations designated by the executive committee or officers of the Association.

- i. If the election is conducted by paper ballot, a member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot. If the election is conducted by website, access to each member's ballot will be secure, and protected by a discrete log-in and password issued to each member. Each member will receive a confirmation by e-mail to that member's official District-provided e-mail address after voting.
  - j. All elections shall be decided by a majority vote, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the candidates receiving the highest number of votes.
2. Announcement
- a. The announcement of election shall include the offices, length of terms, and the election timeline.
  - b. The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy.
3. Timeline
- a. Elections of officers and Representative Council members shall take place during a period of no fewer than five days, excluding Saturdays, Sundays and holidays, and shall be held during the spring semester, but no later than the last five (5) instruction days (excluding Saturday) of April.
  - b. Declarations of candidacy must be made in writing and received by the Election Committee a minimum of fifteen (15) days prior to elections.
  - c. The Election Committee shall acknowledge declaration of candidacy within 72 hours (excluding Saturdays and Sundays).
  - d. The Election Committee shall prepare ballots a minimum of seven (7) days prior to the election (to allow for any mail-in votes).
  - e. The deadline for requesting an absentee ballot shall be no later than seven (7) days prior to the election. If the election is conducted via a website, the elections committee will establish a provision for absentee ballots for those unable to access the website during the election period.
  - f. The Election Committee must receive absentee ballots no later than 5 p.m. on the final day of balloting.
  - g. All ballots shall be counted after 5 p.m. on the final day of the balloting.

- h. The official results of the election shall be released in either a memo or an Association newsletter within three (3) instructional days following the counting of ballots.
  - i. In the even a runoff election is necessary, the Election Committee shall, within three (3) days of the conclusion of balloting, determine the appropriate timeline for the runoff election. Procedures for a runoff election shall follow the same timeline as balloting in a regular election.
- 4. Finances
  - a. Chapter moneys received through dues, assessments or similar levies shall not be used to promote any candidate.
  - b. 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.
- 5. Candidate's Rights
  - a. Privileges extended to one candidate shall be extended to all candidates.
  - b. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
  - c. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.
- 6. Ballots
  - a. The names of the candidates shall appear on the ballot according to the most recent randomized alphabet drawing for candidate order as published by the California Teachers Association (CTA). All declared candidates shall appear on the ballot. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.
  - b. The ballot shall state the name of the office, the term, the number of votes allowed for each office/position, and the names of the candidates.
  - c. The ballot shall include space for a write-in candidate, except in run-off elections.
- 7. Distribution of Ballots and Method of Voting
  - a. A ballot shall be made available for every member.
  - b. Voting shall be by one or a combination of the following methods:

- i. At a school site
- ii. At a specific voting site
- iii. By mail
- iv. Through a secure, third-party hosted website.

## 8. Counting of Ballots

- a. If the election is conducted by paper ballot, upon receipt of ballots, tally sheets, and signature sheets, the Election Committee shall count the ballots in a secure area with only the Election Committee members and observers present. If the election is conducted by website, the vote shall be tallied electronically, and a report of the voting sent to the members of the Election Committee
- b. If the vote is conducted by paper ballot, the Election 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 ballots shall be kept separate.
- c. If the election is conducted by paper ballot, the Election Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
  - i. Blank ballot
  - ii. More ballots than signatures
  - iii. Ballot submitted after deadline
  - iv. Voter not a member
  - v. Voter's intent unclear
  - vi. Votes cast for more than number allowed
  - vii. Vote cast on unofficial ballot
  - viii. Vote cast for ineligible candidate.
- d. If the vote is conducted by website, the on-line voting process shall be consistent with the rules for valid ballots described above, and prevent or exclude attempts to cast ballots that fall into one of the above described categories.
- e. The Election Committee shall prepare the Final Report, recording the following information:
  - i. The total number of ballots cast
  - ii. The number of set aside ballots with an explanation for each category of ballot not counted
  - iii. The number needed to win or pass

- iv. The number of votes received by each candidate or issue
  - v. A notation whether the set aside votes would affect the outcome
  - vi. The signature of each Election Committee member present during the preparation of the report.
- f. The Election Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
  - g. The President shall announce the results as prescribed by the timeline.
  - h. If the vote is conducted by paper ballot, and if the votes set aside would affect the outcome of the election, the Executive Committee shall decide:
    - i. To count the votes which have been set aside
    - ii. Not to count the votes which have been set aside
    - iii. If the election should be conducted again.
  - i. The ballots and voter signup sheets shall be retained for one year after the election.

#### 9. Observers

- a. If the vote is conducted by paper ballot, each candidate shall be allowed to have an observer at the vote counting site and shall give the name of the observer to the Election Committee before counting.
- b. 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.

#### 10. Challenge Procedure

- a. Any member observing a violation of election procedures shall notify the chapter President and the chair of the Election Committee, in writing, within five days of the announcement of results. The notification must:
  - i. Specify which requirement has been violated.
  - ii. Include supporting information.
  - iii. List names of parties who can confirm information.
- b. The Election Committee shall respond within five instructional days after the receipt of the challenge in an effort to resolve the issue. The Committee shall determine whether:
  - i. The challenges alleges a violation of a chapter election requirement;
  - ii. The challenge is supported by appropriate documentation;

- iii. The alleged violation may have affected the outcome of the election.
- c. The Election Committee shall report to the Representative Council on its findings and recommendations within twenty school days.
- d. The Representative Council shall make a decision on the resolution of the challenge.
- e. The challenging party and all candidates in that race shall be notified of the decision of the Representative Council.
- f. If the challenging party is not satisfied with the decision, s/he may appeal the decision in writing to the CTA President within twenty school days of receipt of the decision.

## **II. Special Elections**

1. Special elections for the purpose of electing Representative Council members and Part-time Representatives may take place outside of the normal election cycle as defined in Section I, subsection C, 1 above.
2. A special election may be held if a division/school Representative or Part-time Representative seat becomes vacant, or is not filled during the normal election cycle. A special election may be called by the President of the Faculty Association, or by any member in good standing assigned to a division/school which has no duly elected Representative.
3. For the purposes of special elections to elect Representatives held outside of the normal elections cycle, the Executive Committee of the Faculty Association shall serve as the Election Committee, and the President of the Faculty Association or his/her designee shall serve as the Election Committee chair.
4. In the event of a special election to fill a Representative Council seat, any member in good standing who is represented by that seat shall be notified of the election, and have an opportunity to be nominated, or to nominate him or herself, for that seat.
5. Special elections may be conducted by paper ballot, or through a secure, third-party website.
6. Special elections will be conducted by secret ballot, and all members in good standing who are represented by the seat subject to election will be allowed the opportunity to vote during the period of the election. If voting is conducted by paper ballots, ballot boxes will be placed in a location convenient for the majority of the members voting.

7. For each Representative Council position, a ballot may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of representative seats to be filled.
8. If voting is conducted by paper ballots, the ballot box must be opened and ballots tallied in the presence of the Election Committee chair and a majority of the membership of the Election Committee.
9. If a special election is held to fill a Representative Council seat, the following timeline will apply:
  - a. The Election Committee will announce the special election to all members in good standing for whom a Representative is to be elected at least ten (10) business days before the election date.
  - b. Nominations for the seat to be elected will close three (3) business days before balloting begins.
  - c. The voting period will last no fewer than five (5) business days.
  - d. The results of the special election will be announced to the Representative Council and to those members represented by the elected seat(s) no more than five (5) business days after the conclusion of balloting, or by the next regular meeting of the Representative Council, whichever comes first.

### **III. Initiative Procedures**

1. The active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
2. A member shall file a notice of intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the signatures of at least three Association members supporting the proposed measure and responsible for its circulation.
3. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 45 business days shall be permitted to obtain the signatures of at least one-third (1/3) or more of the active members of the chapter. The petition shall contain the question "proposed to be placed on the ballot."
4. The circulators shall present to the chapter president the petition(s) containing original signatures and printed names of the petitioners.
5. The chapter president shall have at least five (5) school days in which to verify the membership of the signers of the petition.



6. If there is a sufficient number of valid signatures on the petition, the chapter president shall cause a ballot to be furnished to the members in no less than 15 instructional days, provided that the period that school is officially in recess shall not be included in this count.
7. Regular election procedures (e.g., election of officers) shall be followed, including voting times.
8. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

#### **IV. Referendum Procedures**

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

#### **V. Recall Elections/Petitions**

1. All active members in good standing shall have the authority to make decisions on any matters affecting the Association or its activities through a recall petition.
2. To be considered valid, recall petitions must be registered with the Association Secretary or designee at least one month before the recall petition is circulated.
3. Petitions must state the reasons for the proposed recall, including the names of officers being recalled. The petition should be signed and supported by at least three (3) members in good standing.
4. The registration shall include the filing of a notice of intent to circulate a recall petition.
5. The Secretary or designee shall immediately transmit a copy of the recall petition to the Executive Committee (Officers of the Association).

6. All signatures must be obtained within a specified thirty-day period.
7. In order for a recall petition to be successful, it must be signed by a minimum of one-third of all active (in good standing) members of the Association. All signatures must be accompanied by the clearly printed signer's name.
8. The Membership Chair or designee must verify the signature and membership status of all signers (or the number equivalent to one-third of the membership) within thirty days of receipt of the petition.
9. If the recall petition is declared successful, a recall election is declared. The recall election must be held within thirty teaching days of the notification.
10. Declaration of a recall election must be registered with the Secretary or designee.
11. Each person named in the recall petition shall have the right to make a rebuttal statement on the recall ballot or distributed to his/her constituency at least seven days before the recall election.
12. Regular voting procedures (e. g., election of officers) shall be followed including voting times.
13. A recall election is declared successful when the signatures and membership status of at least two-thirds ( $2/3$ ) of all active members in good standing can be verified by the Membership Chair or designee.
14. When a recall election is declared successful, the office is declared vacant and the election of a replacement proceeds according to the election procedures prescribed in these bylaws.

## **Appendix B: Standing Rules for the PAC for the SOCCCDFA (Revised 10/7/2013)**

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These rules will be observed at all times by any political action committee with any regular affiliation with the South Orange County Community College District Faculty Association.

### **I. Membership and Officers**

1. The PAC shall be composed of the Executive Committee, past-presidents, and representatives from the membership at large.
  - a. All members of the PAC shall be members in good standing of the SOCCCDFA.
  - b. Terms of office for PAC members shall match the term of office for representative council members of the SOCCCDFA (2 years).
  - c. Current Executive Committee members who choose to serve must file an intent to serve with the SOCCCDFA President upon their election to office.
2. PAC officers shall be a Chair, Treasurer, and such other officers as are deemed necessary by the PAC.
  - a. The Chair of the PAC shall be the current President of the SOCCCDFA, or a designee appointed by the President. If the President is not available, and does not appoint a designee, the Vice President/President-elect shall serve as Chair. If neither the President/designee nor the Vice President/President-elect of the Faculty Association are available to serve, the Representative Council shall vote to appoint a Chair.
  - b. The Treasurer of the PAC shall be the current Treasurer of the SOCCCDFA. If the Treasurer is not available, the President of the SOCCCDFA shall appoint a designee.
  - c. Terms of office for the PAC Executive Committee members shall match the term of office for the President of the SOCCCDFA (two years).
3. PAC representatives
  - a. During their tenure as officers of the Association, all Faculty Association officers shall be entitled to serve as representatives to the PAC. Officers who choose to serve shall notify the President of the Association and the Chair of the PAC.
  - b. All past-presidents of the Faculty Association who are members in good standing of the Association shall be entitled to serve as representatives to the PAC. Past-presidents who choose to serve shall notify the SOCCCDFA

- President and Chair of the PAC, and shall become active members of the PAC five (5) business days following confirmed receipt of the notification.
- c. All schools and divisions shall be entitled to only one representative and one alternate to the PAC, whose votes shall be counted according to their weights on the representative council.
  - d. Part-time faculty shall be entitled to two representatives and one alternate to the PAC.
  - e. School and division PAC representatives shall be elected by and from the membership of the respective school or division. Part-time representatives shall be elected by the part-time faculty membership. Such election shall be by open nomination and by secret ballot, run and controlled by the election committee of the SOCCCDFA following the same procedures as Representative Council elections.
    - i. If any PAC member misses more than three meetings of the PAC during a single year, the President will notify his/her school/division of the representative's absences. The school/division may elect to replace that representative, and the replacement will be chosen by a vote of the appropriate division or school.

## **II. Funding**

The following guidelines shall be used as procedures for approval of funding:

1. All political contributions shall be made from the PAC fund. General funds of the SOCCCDFA shall not be given to candidates or used on their behalf.
2. Funds approved as line items in a budget that has been approved by the PAC may be spent without additional approval. These expenditures will be included in the regular reports to the PAC and the Faculty Association Representative Council.
3. Non-budgeted amounts of up to \$1000 may be spent with the approval of the PAC Executive Committee. Reports of these expenditures will be made to the PAC and the Faculty Association Representative Council on a regular basis.
4. Non-budgeted amounts exceeding \$1000 may be spent only with approval of both the PAC Executive Committee and the PAC. Reports of these expenditures will be made to the PAC and the Faculty Association Representative Council on a regular basis.
5. In the pursuit of its endeavors, the PAC shall observe all relevant policies of the California Teachers' Association, as set out in its Organizational Handbook.

6. Funds and services shall be provided only to candidates endorsed pursuant to the procedures set down in the standing rules for the PAC.

### **III. Endorsement Procedures**

1. The Faculty Association Representative Council, and only the Faculty Association Representative Council, shall be empowered to endorse or to revoke endorsement of any candidate for the Board of Trustees.
2. The Faculty Association Representative Council may endorse a candidate after a fair and thorough process in which:
  - a. The PAC has made a good faith effort to determine candidates' positions on important issues facing education, and specifically the issues facing the SOCCCD.
  - b. The PAC has provided each prospective candidate an opportunity to participate in an interview with the PAC.
    - i. All questions asked during an interview will be determined in advance by the PAC, and be substantially the same for all candidates interviewed. However, individual follow-up questions may be permitted.
    - ii. All Faculty Association members may observe these interviews but all questions shall be asked only by PAC members.
    - iii. All Faculty Association members in good standing shall be notified of interviews at least two (2) working days in advance. The PAC is responsible for notification.
  - c. In consultation with the PAC, the Faculty Association Representative Council has selected—through a majority of weighted votes of members present and voting—candidates for endorsement.
3. The PAC shall approve any endorsement letters or statements of endorsement with reasons for the endorsement for purposes of press releases or member education. The PAC shall make regular reports to the Faculty Association Representative Council of any endorsement letters or statements of endorsement.

#### **IV. Meetings**

1. Meetings shall be called by the Chair of the PAC or by 20% of the PAC members. All PAC members shall be notified of meetings at least two (2) working days in advance of the meeting date.
2. A quorum for PAC meetings shall consist of a majority (50%+1) of seated committee members.

## **Appendix C:**

### **Standing Committees of the Faculty Association (Approved 10/5/14)**

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1. The Faculty Association shall maintain the following standing advisory committees:
  - a) Membership Committee, chaired by the Faculty Association Membership Chair
  - b) Budget Advisory Committee, chaired by the Faculty Association Treasurer
  - c) Communications Committee, chaired by the Faculty Association Secretary
  - d) Part-time Faculty Advisory Committee, chaired by the Faculty Association Part-time Faculty Chair
  - e) Organizing Committee, chaired by the Faculty Association Vice President/President-elect
  - f) Grievance Committee, chaired by the Faculty Association President
2. Any Association member in good standing may serve as a member of these committees, with the exception of the Grievance Committee whose membership is made up of the appointed Grievance Chairs and President.

## **Appendix D:**

### **Standing Rule on Charitable Donations (Approved 2013)**

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1. The Executive Committee of the SOCCCD Faculty Association may approve charitable donations up to and including \$100 (one hundred dollars). All charitable expenditures up to and including \$100 approved by the Executive Committee must be reported to the Representative Council at the first meeting following disbursement.
2. All charitable donations for amounts more than \$100 must be approved by a majority vote of the Representative Council of the SOCCCD Faculty Association.
3. Recurring donations, such as scholarships, will be approved annually by the Representative Council.
4. For donations to honor an individual, including but not limited to establishing or contributing to a scholarship in memory of a deceased individual, the following conditions must be met:
  - a) The individual is an active or retired member of the SOCCCD faculty;
  - b) The donation is no more than \$250;
  - c) Scholarship donations of this type will not be recurring.
5. No charitable donation will be authorized which will increase the non-chargeable expenses of the Association so that they exceed twenty percent (20%) of the total budgetary expenditures for a fiscal year, in the judgment of the Treasurer of the SOCCCD Faculty Association.



## **Appendix E:**

### **Standing Rule on CCA Conference Delegate Selection Priority and Conference Expense Reimbursement Eligibility (Revised 09/14/2015)**

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#### **I. Selection Priority for CCA Conference Delegates**

1. The number of CCA conference delegates is based upon the total number of members in the SOCCCD Faculty Association.
2. Local delegates will be determined in the following order:
  - a) Executive Committee Members
  - b) Grievance Chairs and Negotiating Team Members
  - c) Representative Council Members
  - d) General Membership

#### **II. Conference Attendance Reimbursement Eligibility**

1. SOCCCDFA will reimburse approved members for allowed expenses incurred at approved conferences and meetings sponsored by CCA, CTA, NEA and other union-related organizations.
2. Reimbursement procedures and amounts will be consistent with CCA reimbursement policy.
3. Members must first apply for all reimbursement available by the sponsoring organization, and then SOCCCDFA will reimburse for the balance not covered by previous reimbursement, including approved hotel expenses (e.g., single rooms) not covered by the sponsoring organization.
4. Full reimbursement is contingent upon attendance at all required functions during the conference, including but not limited to official dinners, awards presentations (e.g., the W.H.O Awards dinner), scheduled workshops, sessions, and meetings for the purpose of voting. Without authorization by the President or designee, failure to attend will result in reduction in reimbursement for hotel expenses (e.g., half of one night's hotel charges for the conference). Attendees may appeal the decision of the President or designee to the Executive Committee.
5. Attendance at pre- or post-conference workshops or meetings will only be reimbursed if prior approval is granted by the Executive Committee.
6. As recipients of local membership dues funding, CCA Delegates, CTA State Council Representatives, and NEA Delegates shall provide a report to the Representative Council within two months of the end of the conference.

## **Appendix F:**

### **Standing Rule for Use of Laptops and Tablets (Approved 12/2/13)**

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1. Faculty Association Officers, Negotiating Team members, and others working on a special project may receive a laptop computer or tablet for use while in office or working on the project with the approval of the Representative Council.
2. The Representative Council must approve the maximum amount that can be spent on the purchase of the equipment.
3. The specific equipment and required software to be purchased must be approved by the Executive Committee
4. All laptops and tablets purchased must also include a two-year warranty and service agreement.
5. Faculty Association members must fill out a lending agreement form in order to receive the equipment.
6. The Treasurer and administrative assistant will be responsible for distributing the equipment and keeping a record of the lending agreements
7. Approved Association members will be allowed to borrow and use the equipment provided by SOCCCDFA for as long as is needed to complete the duties and/or special project.
8. Laptops and tablets depreciate at the rate of 33.3% per year (based on the IRS depreciation rate for laptops of 3 years). At the end of three years of approved use, the equipment will be at fully depreciated and the borrower can chose to keep the equipment, pass it on to another officer, or return it to the Association.
9. With the approval of the Executive Committee, equipment used for fewer than 3 years may be purchased by the borrower at the depreciated value based on the purchase date, to be calculated by the Treasurer.
10. If not purchased by the borrower, equipment is to be returned to the Treasurer and/or to administrative assistant within 30 days following completion of assigned SOCCCDFA duties and/or projects.