

# WALNUT VALLEY EDUCATORS ASSOCIATION CONSTITUTION AND BY-LAWS

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## **ARTICLE I. Name**

The name of this organization shall be the Walnut Valley Educators Association, abbreviated WVEA in Los Angeles County.

## **ARTICLE II. PURPOSES**

- Section 1.** 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.
- Section 2.** To form a representative body capable of developing group opinion on professional matters and to speak for its members.
- Section 3.** To provide an opportunity for continuous study and action on the problems of the profession.
- Section 4.** To promote professional attitudes and ethical conduct among individual members, and between and among professional groups.
- Section 5.** To represent its members in their relationships with the school district and/or other public agencies.
- Section 6.** To raise the standards of the teaching profession by requiring adherence to the Code of Ethics of the Education Profession.
- Section 7.** To promote and foster a sense of professional community.

## **ARTICLE III. AFFILIATION**

- Section 1.** The Walnut Valley Educators Association shall be a chartered chapter of the California Teachers Association.
- Section 2.** The Walnut Valley Educators Association shall be an affiliated local chapter of the National Education Association.

## ARTICLE IV. MEMBERSHIP

- Section 1.** All eligible certificated personnel ~~desiring membership shall~~ will join the Walnut Valley Educators Association (WVEA), the California Teachers Association (CTA), and the National Education Association (NEA) as unified professional organizations.
- 1.1 Exceptions: Those eligible certificated personnel electing not to become members may become Fee Payers or Religious Objectors.
- Section 2.** Membership concurrent and continuous shall be necessary for the holding of any office, representative, committee, or direct function thereof. Membership status must be current for participation in any election or petition.
- Section 3.** The membership year shall be from September 1 of any year to August 31 of the following year.
- Section 4.** Sectors of the membership are authorized to meet in caucus to discuss matters pertinent to their interests. The president may request a meeting to be called for the benefit of any sector of the membership.
- Section 5.** An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association. (NEA Bylaws 2-3-d)
- Section 6.** Rights 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. (CTA Bylaws Article X, 4; NEA Constitution Article VIII, Section 4)
- Section 7.** No member may be disciplined without a due process hearing which shall include the established appellate procedure. (CTA Standing Rule 4-1; NEA Bylaws Section 8-7-f)

## ARTICLE V. DUE, FEES, AND ASSESSMENTS

- Section 1.** All certificated personnel may be members of this Association upon payment of annual dues or enrollment in the payroll membership deduction plan.
- 1.1 Fee Payers and Religious Objectors may participate in payroll deduction, but will not be members.
- Section 2.** All changes in local Association dues shall be determined by majority vote of the representatives present at a Representative Council Meeting.
- Section 3.** Fees. WVEA shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full United Education Profession (Chapter/CTA/NEA) dues. (CTA Standing Rule 4-1; CTA Standing Rule 5-7.3)

## ARTICLE VI. GOVERNANCE RULES

### A. Policy-making Body:

- Section 1.** The policy making body of WVEA shall be the Representative Council. The Representative Council shall consist of school or facility representatives, or their Alternates, and the Executive Board, which shall be chaired by the President.

- Section 2.** Representatives shall be elected on a ratio of one Representative for each nine members or major portion thereof, except that no school or facility shall have fewer than one Representative.
- Section 3.** Each school, facility or segment shall present certification of the election of its Representatives and Alternates to the President for verification prior to their participation in a Representative Council Meeting.
- Section 4.** Voting power shall be vested in the Executive Board and in the elected Representative Council. If a Representative is absent, an Alternate from the same school or facility shall vote. The Chair shall not vote except in the case of a tie.
- Section 5.** A quorum consisting of those present shall conduct business at any regular Representative Council meeting.
- Section 6.** Elections shall comply with one-person one-vote principle for representative bodies. (CTA Standing Rule 4-1; NEA Bylaws 8-7-a)
- Section 7.** Any joint meeting of the Executive Board and the Representative Council, each elected officer shall have one vote, except that the President shall vote only in the case of a tie. The Past President may vote with the approval of the majority of the elected officers.

**B. Officers, (Executive Board):**

- Section 1.** The officers shall be: President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary, Treasurer, and Past President.
- Section 2.** The President shall be the official spokesperson for the chapter.
- Section 3.** The President shall be responsible for the progress and work of the association, and to bring the proposed budget to the Representative Council for approval at the first Representative Council meeting of each school year.
- Section 4.** The President or the designated alternate shall attend Service Center Council meetings. (CTA Standing Rule 4-1)
- Section 5.** The 1<sup>st</sup> Vice President shall be coordinator of the association's committee activities and the Association's calendar.
- Section 6.** The 2<sup>nd</sup> Vice President shall maintain an accurate roster of association membership.
- Section 7.** The treasurer shall submit information and financial reports to the Chapter CTA, NEA and other agencies as required by law.
- Section 8.** The officers shall be elected by secret ballot between May 1 and June 1 each year, and will take office July 1.
- Section 9.** If the officers so elected do not include at least one member from the elementary, middle school, and high school levels, then a special election by the Representative Council shall be held to provide such Segment's Representative(s), and this representative becomes a voting member of the Executive Board.

- Section 10.** A recall election regarding any elected officer may be initiated by the submission of a petition to the WVEA Representative Council. The petition shall contain the signatures of at least twenty-five percent of the membership (or of the Segment, when the officer is a Segment Representative). The officer shall be recalled by a vote of two thirds of the membership.
- Section 11.** The immediate Past President may serve as an advisor to the Executive Board.
- Section 12.** A quorum consisting of a simple majority of the officers shall be present to conduct business at any Executive Board Meeting.
- Section 13.** The Executive Board will comply with one-person, one-vote principle for executive bodies. (CTA Standing Rule 4-1; NEA Bylaws 8-7-a)

**C. Meetings:**

- Section 1.** A quorum for any meeting of the Association shall consist of those members present.
- Section 2.** Regular meetings of the Representative Council and the Executive Board shall be held as provided in the By-Laws.
- Section 3.** Special meetings of the Representative Council and the Executive Board shall be held as provided in the By-Laws.
- Section 4.** General Membership meetings may be called as provided in the By-Laws.
- Section 5.** Frequency of General Membership meetings may be called as provided in the By-Laws.
- Section 6.** Special meetings of the Representative Council may be called as herein after provided in the By-Laws.
- Section 7.** Emergency meetings shall be called at the discretion of the Executive Board and membership notified through individual site representatives.
- Section 8.** All meetings shall be conducted according to Robert's Rules of Order.

**ARTICLE VII. Bargaining**

- Section 1.** The Representative Council has the responsibility and authority for directing the Association's bargaining process.
- Section 2.** Only members in good standing of the Walnut Valley Educators Association may vote on the Ratification of a negotiated contract.
- Section 3.** A majority vote is needed for ratification of a negotiated contract, or amendment to the contract.

**ARTICLE VIII. The Representative Council**

- Section 1.** The Representative Council shall consist of school or facility Representatives, or their Alternates, and the Executive Board, which shall be chaired by the President.

- Section 2.** Representatives shall be elected on a ration of one Representative for each nine members or major portion thereof, except that no school or facility shall have fewer than one Representative.
- Section 3.** Each school, facility or segment shall present certification of the election of its Representatives and Alternates to the President for verification prior to their participation in a Representative Council meeting.
- Section 4.** Voting power shall be vested in the Executive Board and in the elected Representatives. If a Representative is absent, an Alternate from the same school or facility shall vote. The Chair shall not vote except in the case of a tie.
- Section 5.** A quorum consisting of those present shall conduct business at any regular Representative Council meeting.

### **ARTICLE IX. Standing Committees**

- Section 1.** Standing Committees may include but shall not be limited to: Program and Activities, Finance, Negotiations, Public Relations/Political Action, Curriculum, Membership, and Grievance.

### **ARTICLE X. Initiative, Referendum, or Recall.**

- Section 1.** Members have the right of initiative and/or referendum on any action of the Representative Council or the Executive Board.
- Section 2.** A petition signed by twenty five percent of the members shall be necessary to bring to the attention of the membership any initiative or referendum.
- Section 3.** Any unit shall have the right to initiate a recall action of any of its own Representatives to the Representative Council and to the Executive Board by a petition signed by twenty five percent of the membership of that unit.
- Section 4.** Any members of the Representative Council or Executive Board may be recalled by a majority of the votes cast by the electoral group.
- Section 5.** Initiative, Referendum, or Recall petitions shall be referred to the Elections Committee, and the Elections Committee shall be responsible for conducting any election pursuant to the receipt of a valid petition.

### **ARTICLE XI. Amendments**

- Section 1.** Initiative, Referendum, or Recall petitions shall be referred to the Elections Committee, and the Elections Committee shall be responsible for conducting any election pursuant to the receipt of a valid petition.

### **ARTICLE XII. Meetings**

- Section 1. A quorum for any meeting of the Association shall consist of those members present.
- Section 2. Regular meetings of the Association and of the Executive Board shall be held as provided in the By-Laws.

- Section 3. Special meetings of the Association and of the Executive Board shall be held as provided in the By-Laws.
- Section 4. Regular meetings of the Representative Council shall be held as provided in the By-Laws.
- Section 5. Special meetings of the Representative Council may be called as hereinafter provided in the By-Laws.
- Section 6. All meetings shall be conducted according to Robert's Rules of Order.

# WALNUT VALLEY EDUCATORS ASSOCIATION CONSTITUTION AND BY-LAWS

## BY-LAWS

### ARTICLE I. Nominations and Elections

- Section 1.** A Nominating Committee shall be appointed annually by the Executive Board to receive names for the offices of 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary, and Treasurer. On alternate years, the office of the President shall be included; the 1<sup>st</sup> Vice President with his/her consent shall be automatically nominated candidate for President. It shall be the duty of the Nominating Committee to distribute a list of nominees to every member at least two weeks prior to May 1. Floor nominations may be made in writing with the consent of each nominee, at the April Representative Council Meeting.
- Section 2.** The nominating committee shall conduct the election of officers by secret ballot annually on or before May 31. The annual election of Association officers, as well as any other general election deemed necessary and desirable by the governing bodies, may be held at each school or facility. When this course of action is taken, the elections shall be under the overall supervision of bonafide school, facility or segment Representative(s). All general elections shall be under the overall supervision of the Nominating Committee and/or the Association President.
- Section 3.** The Executive Board and the Representative Council shall make all necessary rules for carrying out all elections, including special elections.
- Section 4.** Open Nomination's procedure that guarantees; "Active members, an open nomination procedure". WVEA shall not discriminate against its Active members in their right to vote, seek office, or otherwise participate in the affairs of the WVEA, the CTA, or the NEA. (CTA Standing Rule 4-1; CTA Bylaws Article X, 4; NEA Bylaws 8-7-b)

### ARTICLE II. Terms and Duties of Officers

- Section 1.** The President shall be elected for a two year term and all other officers for terms of one year, or until their successors are duly certified for office. New officers shall assume the duties of their respective offices immediately upon election.
- Section 2.** A vacancy shall be deemed to exist in the case of death, resignation, or evident inability to serve in any of the offices of the Association.
- a. In the case of a vacancy in the office of President, the 1<sup>st</sup> Vice President shall assume the duties of the President for the remainder of the term.
  - b. In the case of a vacancy in any other office, the Executive Board at its next meeting shall appoint a member of the Association to fill the office vacated, subject to ratification by the Representative Council at its next meeting.
- Section 3.** Duties of the President:
- a. Preside at all general meetings and in every way endeavor to promote the interests and purposes of the Association, be familiar with the Constitution and By-Laws of WVEA, CTA, and NEA.

- b. Provide an agenda for each meeting of the Executive Board and Representative Council, in cooperation with the 1<sup>st</sup> Vice President and 2<sup>nd</sup> Vice President.
- c. Appoint a parliamentarian.
- d. Appoint and remove all Standing and Special Committees and their members, with the advice of the Executive Board. In the case of the Negotiating, members and alternates shall be appointed each year.
- e. Appoint Chair(s) for the Negotiating Team.
- f. Recommend policies and plans for all Standing and Special Committees.
- g. Be an ex-officio member of all Standing and Special Committees of the Association.
- h. Countersign all checks drawn upon the treasury.

**Section 4.**

Duties of the 1<sup>st</sup> Vice President

- a. Assist the President in the duties of the President and assume those duties in the absence of the President
- b.
- c. and 1<sup>st</sup> Vice President.
- d. Serve as an ex-officio member of all Standing and Special Committees of the Association.
- e. Perform special duties and assignments designated by the President.
- f. Serve as Activities Chair

**Section 5.**

Duties of the 2<sup>nd</sup> Vice President

- a. Assist the President in the duties of the President and assume those duties in the absence of the President and 1<sup>st</sup> Vice President.
- b. Serve as an ex-officio member of all Standing Committees of the Association.
- c. Perform special duties and assignments designated by the President.
- d. Serve as the Membership Chair.

**Section 6.**

Duties of the Secretary

- a. Keep a record of the proceedings of each meeting of the Association, the Executive Board, and the Representative Council.
- b. Submit a copy of the proceedings at that next meeting for approval.
- c. Perform special duties and assignments designated by the President.

**Section 7.**

Duties of the Treasurer

- a. Receive all funds belonging to the Association
- b. Pay out funds according to orders signed by the President.
- c. Keep an itemized account of all receipts and expenditures.
- d. Provide a report of the Association's financial status at each regular meeting.
- e. Coordinate the annual audit of financial records of the chapter, to be conducted by a Certified Public Accountant or by a Special Committee of the Association.
- f. Prepare and file the state required PERB report each fall.
- g. Perform special duties and assignments designated by the President.

### **ARTICLE III. The Executive Board**

**Section 1.**

The Executive Board shall meet monthly prior to the meeting of the Representative Council.

**Section 2.**

Duties of the Executive Board shall include:

- a. Make recommendations for action to the Representative Council.
- b. Fill vacancies that arise between meetings.

- c. In conjunction with the Representative Council, appoint the Committee on Elections and establish the necessary rules for carrying out the election.
- d. Hear and make recommendations to the Representative Council for actions on reports and recommendations of Standing and Special Committees and panels.
- e. Implement policies of the Association.
- f. Aid in establishing and operating a grievance program.
- g. Make decisions on whether a grievance case should be processed by the Association.
- h. Establish channels for appealing a decision not to process a grievance.

## **ARTICLE IV. The Representative Council**

### **Section 1.**

Duties of the Representative Council:

- a. Receive and act upon all reports and recommendations from the Executive Board and from Standing and Special Committees.
- b. Establish plans and directives to govern the Association.
- c. Direct items to the Executive Board for action.
- d. Report to Association membership regarding actions contemplated or finalized.
- e. Adopt policy statements.
- f. Adopt budgets.
- g. In conjunction with the Executive Board, appoint the Committee on Elections and establish the necessary rules for carrying out the election.

### **Section 2.**

Specific duties of Standing Committees:

- a. Program and Activities
  - 1. Prepare the agenda and program for all general meetings, in cooperation with the President.
  - 2. Conduct annual studies of
    - a.) State and local resources that might affect salaries, equipment and the related items.
    - b.) Current salary schedules
    - c.) Current policies on fringe benefits
  - 3. Prepare a salary schedule and recommendations for fringe benefits for purposes of negotiations, for Association approval.
  - 4. Act as Association representatives in such education related finance activities as bond elections, tax overrides, etc.
  - 5. Recommend positions and policies to the Representative Council for action.
  - 6. Receive recommendations from the general membership regarding fiscal matters.
- b. Negotiating Team
  - 1. Owes loyalty to WVEA and does not make policy.
  - 2. Supports WVEA policies as set forth by the Executive Board and Representative Council.
  - 3. Receives proposals for matters to be negotiated from the Executive Board and/or the Representative Council.
  - 4. May meet prior to any Collective Bargaining meeting.
  - 5. Reports results of negotiations to general membership through the Executive Board and the Representative Council.
  - 6. May make agreements with the Walnut Valley Unified School Board and/or its representatives:
    - a.) These agreements shall be tentative only and are not binding upon the Association until ratified by the Executive Board and the Representative Council,

except when such ratification shall have been specifically waived or otherwise delegated by the Executive Board and Representative Council.

- b.) In cases involving contracts, ratification must be by a majority vote of the membership of the bargaining unit.

7. Shall serve until ratification of the contract currently being negotiated. The Executive Board may terminate the membership of any representative on the Negotiating Team when it deems that member's service unsatisfactory, and shall appoint a replacement.

c. Public Relations/Political Action

1. Strive to develop favorable community relations and promote issues or candidates in elections as supported by WVEA and, when appropriate, cooperate with other groups or organizations toward these goals.
2. Prepare and distribute material on Association policies and proposals, Association elections, and elections that affect WVEA.
3. Plan for the preparation of materials of professional interest, including but not limited to an Association handbook, political action newsletters, and special projects.

d. Curriculum

1. Prepare positions and policies for the Association
2. Develop recommendations to be presented as negotiations matters.
3. Act as Association representative to Administration.
4. Serve as members of joint committees.

e. Membership

1. Coordinate a membership drive each fall with the Representative Council.
2. Provide liaison with District payroll
  - a.) Send new payroll deduction memberships weekly.
  - b.) Verify deduction registers monthly
3. Provide liaison with CTA/NEA
  - a.) Distribute CTA membership cards and return unused ones
  - b.) Send new payroll deduction memberships weekly
  - c.) Submit cash memberships renewals by October 31
  - d.) Verify membership count for NEA delegate assignment in January.
  - e.) Update membership rosters and send dues information to CTA by mid May.
  - f.) Update membership rosters for summer membership's card run by July 1.
  - g.) Provide roster of new officers to CTA by July 1.

f. Grievance

1. Operate the Association's grievance program
2. Recommend a grievance processing budget.
3. Develop, secure and maintain grievance forms and records.
4. Evaluate potential grievances and recommend whether the Association should process specific cases.
5. Develop Association positions and policies regarding grievances.
6. Counsel and advise members with problems.

7. Advise and represent members in grievance process.
8. Observe timelines in processing grievances.
9. Represent the Association at hearing(s) with grievance representative, WVUSD staff or attorney.
10. Represent the Association at grievance meetings when the grievant is not represented by the Association.
11. Select a Review Panel member for the Association.
12. Work with WVUSD staff handling grievance cases(s).
13. Work with attorney(s) for grievance case(s).
14. Utilize staff and other resources as appropriate.

## **ARTICLE VI. Meetings**

- Section 1.** General meetings of the WVEA membership shall be held when deemed necessary by the Executive Board and/or the Representative Council.
- Section 2.** The Representative Council shall meet at least once each month during the school year or as approved by the Representative Council. The dates shall be set each year at the first meeting, to be called by the President. Rules and regulations related to quorums for both the Executive Board and the Representative Council shall be specified elsewhere in the Constitution and By-Laws. For special meetings of the Representative Council, fifty percent of the membership shall constitute a quorum.
- Section 3.** Special meetings of the Association may be called for a specific purpose upon written petition by ten percent of the membership. The place of the meeting and publicity will be delivered to each member. The meeting must be held within thirty (30) days of the presentation of the petition, but no business other than that for which the meeting is called may be transacted.

## **ARTICLE VII. Order of Business**

- Section 1.** The following shall be the order of business for regular meetings of the Association.
- a. Call to order
  - b. Minutes of the previous meeting – read, correct, and approved
  - c. Correspondence received
  - d. Treasurer’s report
  - e. Reports from Standing Committee
  - f. Reports from Special Committees
  - g. Old Business
  - h. New Business
  - i. State Council Report
  - j. Other
  - k. Adjournment
- Section 2.** This order of business shall be subject to change for a particular meeting by a vote of the Executive Board or by a vote of two-thirds of those present at that regular meeting.

## **ARTICLE VIII. Membership and Dues**

- Section 1.** The membership year shall be from September 1 of any year to August 31 of the following year.

**Section 2.** All members of WVEA shall join CTA, NEA as unified professional organizations and shall be entitled to vote in all elections pertaining to WVEA, CTA, and NEA.

**Section 3.** Dues for membership in WVEA shall be maintained at one-third of the CTA dues in order to qualify for crisis funds. Should the WVEA dues fall below the one-third level, dues shall be raised as per Article V of the Constitution of WVEA.

## **ARTICLE IX. Fund For Quality Education**

### **Section 1. Purposes**

- 1.1 To inform members of local issues and/or decisions, voting records and positions of members of local elected agencies that may affect the member's classroom, working conditions, rights and benefits.
- 1.2 To serve as a voluntary funding structure through which the Walnut Valley Educator's Association members may give direct and indirect financial contributions to support or oppose such local candidates for local elective office as are deemed worthy of the support or opposition from the standpoint of educational issues and without regard to partisan consideration or to support or oppose local issues.
- 1.3 It is the intent of the Fund For Quality Education to work in a cooperative manner, rather than in isolation from other district employee groups, to support or oppose local issues.

### **Section 2. Officers**

- 2.1 Composition – Officers shall be a Chairperson, Treasurer and such officers as are deemed necessary by the Fund For Quality Education.
- 2.2 The Chairperson and Treasurer will be appointed by the President of the Walnut Valley Educator's Association with the approval of the Executive Board. The Chairperson of the Fund For Quality Education will appoint the remaining officers. Officers generally should reflect the racial, ethnic, gender, and geographic balance of the Walnut Valley Educator's Association.
- 2.3 The terms of office will be for the full term of the President of the Walnut Valley Educator's Association. Officers may continue to serve as long as they keep the support of the Executive Board of the Walnut Valley Educator's Association and wish to continue their positions.

### **Section 3. Funding**

- 3.1 A voluntary amount of \$10.00 per member annually will be placed in the account of the Fund For Quality Education from the current member local contributions. These monies will remain segregated from the general membership account. Actual amount per member will be adjusted by the Walnut Valley Educator's Association Executive Board to reflect the need of the Fund For Quality Education and the budget of the Walnut Valley Educator's Association.
- 3.2 Amounts may be spent for any purpose that is deemed consistent with the statement of purposes of the group as judged by the Fund For Quality Education committee with the approval of the Executive Board of the Walnut Valley Educator's Association and advice from the Association Representative Council. The following guidelines will be used as procedures:
  - 3.2.1 Amounts of up to \$200.00 may be spent by the chairperson with the approval of the treasurer without

previous authorization of the Executive Board. Reports of these expenditures will be made to the Board on a regular basis.

3.2.2 Amounts of between \$200.00 and \$2,000.00 may be spent with their prior approval of the Executive Board. Reports of these expenditures will be made to the Board and the Representative Council on a regular basis.

3.2.3 Amounts over \$2,000.00 may be spent with prior approval of both the Executive Council and the Representative Council.

3.2.4 Funds approved as line items in a budget that has been approved by the Executive Board of the Association and the Representative Council may be spent without additional approval. These expenditures will be included in the regular reports to the Executive Board and Representative Council.

3.3 No amount of funding or support in kind can be given to:

3.3.1 Any candidate for city, county, school district, or community college board unless they are considered supported and endorsed by the Walnut Valley Educator's Association.

3.3.2 Funds may be used to support local issues and/or candidates for local elective office if endorsed by the Walnut Valley Educator's Association Executive Board and the Representative Council following the procedures outlined in Section 4

#### **Section 4. Endorsement Of Candidates**

4.1 Candidates and officeholders endorsed by the Walnut Valley Educator's Association will be deemed endorsed unless action is taken by the Association Executive Board and Representative Council to withhold endorsement.

4.2 The Association Political Action Committee may recommend to the Association Executive Board and Representative Council endorsement of a local issue and/or candidate for local office such as school board after a thorough and fair process as outlined in the Association Standing Rules.

4.3 No funds or support in kind may be spent on non-endorsed candidates.

#### **Section 5. Membership And Meetings**

5.1 Any member may request to be on the Fund For Quality Education and may serve with the consent of the Association's President and Executive Board.

5.2 The Chairperson will call meetings when there is business to conduct. All members and the Association President will be notified in advance of the meetings. A quorum consisting of a majority of committee members is necessary to conduct business.

#### **Section 6. Amendments To By-Laws**

6.1 By-laws may be initiated by a majority vote of the Association Executive Board and approved by a majority vote of the Association Representative Council.

