



# HCTA

**HILLSBOROUGH CLASSROOM TEACHERS ASSOCIATION**

HILLSBOROUGH CLASSROOM  
TEACHERS ASSOCIATION, INC.

# **CONSTITUTION AND BY-LAWS**

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# CONSTITUTION

## CONSTITUTION: ARTICLE I – NAME AND AFFILIATION

### Section 1. Name

The name of the Association shall be HILLSBOROUGH CLASSROOM TEACHERS ASSOCIATION, INCORPORATED.

### Section 2. Affiliations

The Association is affiliated with the National Education Association (NEA), the American Federation of Teachers (AFT), the Florida Education Association (FEA) and the state and local bodies of the AFL-CIO. Affiliations shall be determined by the Board of Directors to best meet the needs of the membership and the objectives of the organization. Affiliations shall be subject to the ratification of the Board of Directors and the Representative Council. A two-thirds (2/3) vote of both bodies shall be necessary to make affiliation changes.

## CONSTITUTION: ARTICLE II - PURPOSE

To improve the professional standing, working conditions, and welfare of the membership.

## CONSTITUTION: ARTICLE III - MEMBERSHIP

### Section 1. Active Members

- a. Active members shall be those persons currently employed by or under leave of absence granted by the School Board of Hillsborough County, Florida, and the Executive Director of the Association. Membership in the Association shall be deemed a privilege and not a right.
- b. The By-Laws shall specify the personnel in each building unit of the Hillsborough County Public School System who are eligible for membership in this Association.
- c. The Association will accept members without regard to age, race, sex, sexual orientation, gender identity, religion, national origin, disability, social, economic, or political status.
- d. Active members shall be entitled to both the privilege of the floor in discussion and the right of suffrage in the affairs of the Association.
- e. Active membership shall be continuous until the member leaves the school system of Hillsborough County or resigns from the Association or fails to pay membership dues to the Association within the time period in the By-Laws of the Association or is expelled.
- f. The By-Laws may contain provisions by which the Representative Council may extend to members resigning from the Hillsborough County School System active membership in the Association.

### Section 2. Associate Members

- a. Associate membership shall be open to former members of the Association whose status at the time of resignation or retirement from employment by the School Board of Hillsborough County was that of active member of the Association.
- b. Associate members, although denied voting privileges in Representative Council meetings, shall have the privilege of the floor and when serving on special committees shall be entitled in

committee, to the same discussion and voting privileges as any other member.

- c. Associate members shall be approved for membership by the Board of Directors of this Association, pay dues as required by the Association's Representative Council and accept the privilege of membership under the same conditions and requirements as activemembers.

### Section 3. Honorary Members

- a. Honorary members shall be such persons as this Association, through its Board of Directors, shall desire to honor by admission to membership.
- b. Honorary members shall have the privilege of the floor, with voting rights withheld.

### Section 4. Association Representation

No member shall have the authority to represent the Association except as expressly provided in the governing documents of the Association or with the express consent of the Board of Directors or Representative Council for a specific purpose or project,

### Section 5. Revocation or Denial of Membership

- a. According to procedures adopted by the Representative Council, the Board of Directors may suspend, expel, discipline, or reinstate any member; provided that the procedures so adopted do not violate the intent of procedures outlined in *Robert's Rules of Order, Revised*.
- b. The Board of Directors may deny membership in the Association.

## **CONSTITUTION: ARTICLE IV - REPRESENTATIVE COUNCIL**

### Section 1. Authority

The Representative Council shall be the policymaking body of this Association.

### Section 2. Composition

The Representative Council shall consist of the Association Officers, Directors and the Association Representatives from the building units of the Hillsborough County School System.

## **CONSTITUTION: ARTICLE V - INITIATIVE, REFERENDUM AND RECALL**

### Section 1. Initiative or Referendum by Association Member

Any member of the Association may appear before the Representative Council to speak in reference to an Initiative or Referendum, upon the presentation of a petition with the signatures of at least two hundred association members to the Board of Directors. The Board of Directors will place the initiative or referendum on the next Representative Council agenda. The Representative Council, by a majority vote of those present and voting at the meeting may approve the initiative or referendum by majority vote.

### Section 2. Recall by Representative Council

The Representative Council may recall any elected official of the Association, provided such action is approved

by a two-thirds vote (2/3) of those present and voting.

### Section 3. Recall by Association Members

A petition signed by twenty percent (20%) of the active members of the classification which elected the official shall be required to present a recall petition to the Board of Directors. The Board of Directors shall present any valid petition to the next Representative Council meeting and the Representative Council shall vote on the recall petition by a two-thirds (2/3) vote of the council members present and voting. The member presenting a valid petition for recall may appear before the Board of Directors or Representative Council to speak in reference to recall of any elected official of this Association.

## **CONSTITUTION: ARTICLE VI - OFFICERS**

The officers of this Association shall be: a President, Vice-President, and Secretary-Treasurer.

## **CONSTITUTION: ARTICLE VII - BOARD OF DIRECTORS**

### Section 1. Composition and Authority

The Board of Directors shall consist of the Officers and Directors of this Association as described in the By-laws. Said Board shall be the executive authority of the Association.

### Section 2. Employment of Staff

Under personnel policies adopted by the Board of Directors, the Board of Directors shall have the authority to employ a staff.

### Section 3. Removal of Elected Officials

Should the Board of Directors agree by a majority vote that an elected official of the Association has been grossly negligent of his duties, as these duties are defined in the By-Laws of this Association, said Board shall recommend to the Representative Council that the office be declared vacant. If, by a two-thirds vote of those present and voting, the Council concurs with the recommendation, said office shall be declared vacant.

## **CONSTITUTION: ARTICLE VIII - AFFILIATE CHAPTERS**

This Association may charter affiliate chapters for groups in other classifications as set forth in the By-Laws.

## **CONSTITUTION: ARTICLE IX - ELECTIONS**

An election committee shall be established and held responsible for the legal execution of all election procedures as set forth in the By-Laws.

## **CONSTITUTION: ARTICLE X - AMENDMENTS**

### Section 1: Proposed Amendments

Proposed amendments to the Constitution may be initiated by the Board of Directors, the Representative Council or petition of at least ten percent (10%) of the Association membership. Such proposed amendments shall first be presented to the Board of Directors.

### Section 2: Publication of Proposed Amendments

Proposed amendments shall be published and distributed to the membership within thirty days after receipt by the Board of Directors, and no less than ten days and no more than sixty days prior to the membership vote.

### Section 3: Representative Council Agenda

Proposed amendments shall be placed on the agenda of the next Representative Council meeting following publication by the Board of Directors.

### Section 4: Approval

Upon approval by a two-thirds (2/3) majority of those members voting at the Representative Council, the proposed amendment shall become part of this constitution.



# BYLAWS

## BYLAWS: ARTICLE I - MEETINGS

### Section 1. Board of Directors

There shall be a meeting of the Board of Directors on the first Thursday of each month beginning with September and ending with June. If changes to the school calendar warrant a change to this schedule, the Board of Directors may alter their meeting schedule by a majority vote.

### Section 2. Representative Council

There shall be a meeting of the Representative Council the second Thursday of each month, beginning with September and ending with May. The agenda for each meeting shall be the responsibility of the Board of Directors. If changes to the school calendar warrant a change to this schedule, the Representative Council may alter their meeting schedule by a majority vote.

### Section 3. Special Meetings

- a. Special meetings of the Board of Directors or the Representative Council may be called by the President of the Association or shall be called upon request of three members of the Board of Directors, or five members of the Representative Council, or of seven members of the Association; provided such request obtains the approval of the majority of the Board of Directors.
- b. Any topic of business for which a special meeting is called must be stated in the call. Any attempt to postpone discussion of previously announced business or to discuss business not stated in the call shall require a two-thirds vote of members present and voting.

## BYLAWS: ARTICLE II - QUORUM

### Section 1. Board of Directors and Committees

A quorum for meetings of the Board of Directors and all Committees shall be a majority of its members respectively.

### Section 2. Representative Council

A quorum of the Representative Council shall consist of at least fifty (50) eligible members.

## BYLAWS: ARTICLE III - DUES AND MEMBERSHIP

### Section 1. Membership Dues

Annual dues for full-time members of the teacher bargaining unit shall be .65% of starting teacher salary, plus the prevailing per capita dues amounts of affiliated state and national unions, as well as local and state AFL-CIO per capita. Full time ESP dues shall be half ( $\frac{1}{2}$ ) of the annual full-time teacher dues.

## Section 2. Fiscal and Membership Years

Both the fiscal year and the membership year of this Association shall begin on July 1 and end on June 30.

## Section 3. Active, Associate and Honorary Membership

Active membership shall require full payment of the annual dues. Members paying on an installment system who are current and meet the requirements of Article III of the Constitution and Article III of the By-Laws shall be considered active. Associate membership shall require payment of dues as set by the Representative Council. Honorary membership shall require no payment of annual dues.

## Section 4. Active Membership

Active membership in this Association shall be limited to members of the Classroom Teacher bargaining unit, Paraprofessionals, and Clerical Employees.

## Section 5. Classroom Teacher Definition

For the purpose of this Association, the term Classroom Teacher shall be defined to include all certificated personnel in each public school unit of Hillsborough County included in the teacher bargaining unit.

## Section 6. Paraprofessional Definition

For the purpose of this Association the term paraprofessional shall be defined to include all personnel in each public school unit of Hillsborough County included in the paraprofessional bargaining unit.

## Section 7. Clerical Employees Definition

For the purpose of this Association, the term clerical employee shall be defined to include all personnel in the Hillsborough County Public School System included in the clerical bargaining unit.

## Section 8. Educational Support Personnel (ESP) Definition

For the purpose of this Association, the term educational support personnel (ESP) shall be defined to include all personnel in the Hillsborough County Public School System included in the paraprofessional and clerical bargaining units.

## Section 9. Emergency Membership

The Representative Council empowers the Board of Directors to extend active membership during periods of emergency.

## Section 10. Membership Services and Pre-Existing Conditions

Active members shall be entitled to all services offered by the Association. However, if a member requests service based on an event that occurred prior to becoming an active member, the Association shall not be obligated to honor that request for service.

## **BYLAWS: ARTICLE IV - POWERS OF OFFICERS**

### Section 1. President

- a. The President, as the executive officer of the Association, shall prepare the agenda for and preside over all meetings of the Board of Directors and Representative Council and appoint, for the length of his/her term of office, Committees established by the Representative Council and Board of Directors with the approval of the Council, with the exception of the FYRE Committee. The President shall be an automatic delegate to all FEA Delegate Assemblies, NEA Representative Assemblies and AFT Conventions occurring during his/her term. The President shall be ex-officio member of all Committees and represent the Association before the public either personally or through delegates and shall perform all other duties as are herein provided and generally incidental to the office.
- b. The President shall appoint a negotiating team approved by the Council which shall represent the Association before the School Board, Superintendent or other School Board Representatives.

### Section 2. Vice-President

The Vice-President shall assume the responsibilities of the office of President during the President's temporary absence, relieve the President of a reasonable share of public relations responsibilities and Association duties and perform such other functions as are generally attributed to this office. The Vice-President shall be an automatic delegate to all FEA Delegate Assemblies, NEA Representative Assemblies and AFT Conventions occurring during his/her term.

### Section 3. Secretary-Treasurer

- a. The Secretary-Treasurer shall assume responsibility for the minutes of meetings of the of the Representative Council and of the Board of Directors.
- b. The Secretary-Treasurer shall be responsible for all funds of this Association, shall assure that regular accounts thereof are kept and reports given as required by the Board of Directors. Funds of this Association shall upon receipt be deposited in a bank(s) selected by the Board and shall be withdrawn as directed by the Board of Directors.
- c. The Secretary-Treasurer shall assume the responsibilities of the office of President during the President's and Vice-President's temporary absence.

## **BYLAWS: ARTICLE V - POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

### Section 1. Association Management

The Board of Directors shall be responsible for the management of the Association, approve all expenditures, authorize individuals to sign checks and contracts and to do business on behalf of the Association. The Board of Directors shall carry out policies established by the Representative Council, report its transactions and those of the Council to the members, suggest policies for consideration by the Council, employ a staff, and exercise the right to approve or disapprove membership of this Association in accordance with the policy established by the Representative Council.

### Section 2. Decision Making

Within the policies established by the Representative Council, the Board of Directors may make decisions binding upon the Association.

### Section 3. Attendance

- a. Members of the Board of Directors shall regularly attend meetings of the Board of Directors and Representative Council as well as other meetings and functions which might be regarded as essential to the position of Director.
- b. If a Director fails to attend regularly scheduled meetings of the Board of Directors for three consecutive months or any four months in any calendar year, or otherwise fails to perform any of the duties devolving upon him/her as a Director, the Board of Directors may, after giving the Director reasonable notice and opportunity to be heard, recommend that the Representative Council declare the office vacant. The vacancy shall be filled as herein provided. The Secretary-Treasurer shall be responsible for reporting such repeated absences to the Board of Directors.

### Section 4. Presidential Compensation

The Board of Directors shall have the authority to compensate, pay expenses and provide fringe benefits to a President serving the Association on a full-time basis.

## **BYLAWS: ARTICLE VI - POWERS OF THE REPRESENTATIVE COUNCIL**

### Section 1. Specific Powers

The Representative Council shall approve the budget, set amount of dues through appropriate by-law revision, act on reports of Committees, approve resolutions and other policy statements, and shall adopt procedures for censuring, suspending, or expelling members for just cause or for reinstating members for just reason and establish Committees and approve the President's appointments to such committees.

### Section 2. Powers Not Delegated

Powers not delegated to the officers or to the Board of Directors of the Association shall be vested in the Representative Council.

## **BYLAWS: ARTICLE VII - QUALIFICATIONS, FILING FOR OFFICE, & ELECTION OF OFFICIALS**

### Section 1. Qualifications And Term Of Office For Officers

- a. To qualify as a candidate for office in this Association one must be a member who, at the time of filing for the office of president or vice-president, shall be in at least their fourth consecutive year, and for other offices at least their second consecutive year, as a member of the Association, by definition of Article III of the By-Laws, immediately prior to their candidacy. Association officers shall be elected for a three-year term.
- b. The office of President and Secretary-Treasurer shall be open to candidates from both teacher and ESP members. All members (Teacher and ESP) shall be eligible to vote.
- c. The office of Vice-President shall be filled by a vote of the membership during a separate election following the election of the President. Candidates for Vice-President must be from the membership category (Teacher or ESP) not represented by the newly elected President. All members (Teacher and ESP) shall be eligible to vote.

## Section 2. Qualifications and Term of Office for Directors

- a. To qualify as a candidate for Director in this Association one must be a member who, at the time of filing for one of the ten (10) Director positions, shall be in at least their second consecutive year as a member of the Association by definition of Article III of the By-Laws, immediately prior to their candidacy. Association Directors shall be elected for a three-year term as a Director in Groups 1 – 10.
- b. Directors shall be elected by groups that are to be numbered one (1) through 10 (ten). The even numbered director groups and the odd numbered director groups shall be elected on rotating cycles.
- c. Group one (1) through Group seven (7) Directors shall be specifically designated for teacher candidates and elected by teacher members only.
- d. Group eight (8) through Group ten (10) Directors shall be specifically designated for ESP candidates and elected by ESP members only.
- e. Association members elected by local election to the Association's state or national affiliate Board of Directors shall be voting members of the Association Board of Directors. Members of the Association's state and/or national affiliate Board of Directors shall not be eligible to hold any of the Association's ten (10) Director positions. Members who are appointed by an affiliate to a state or national Board shall be non-voting members of the Association Board of Directors.

## Section 3. Ethnic Minority Representation

- a. If at any time, the Board of Directors has less than four (2) ethnic minority members, the President, with confirmation by the Representative Council, shall appoint sufficient ethnic minority members to bring the total to four (4).
- b. Appointed ethnic minority Directors shall meet the qualifications set forth in By-Law Article IX.
- c. Whenever the Board of Directors is expanded to meet the requirements of this section of the By-Laws, the appointment(s) shall be identified as Group 11 and/or Group 12, provided the first appointment shall be to the group that provides for a full term.

## Section 4. Filing for Office

- a. A member wishing to file for office shall obtain official forms from the office of the Association.
- b. The completed forms shall be presented for certification to the Election Committee prior to the close of the qualifying period.
- c. The Election Committee shall submit the names of the certified candidates for each office to the Representative Council.
- d. The qualifying period for officers and directors of the Association with the exception of Vice-President shall be between the first work day in December and the January Representative Council meeting. The qualifying period for Vice-President shall be opened on the day immediately following the date of the ballot count that elects the Association's President and shall close at the next Representative Council Meeting.
- e. No individual may qualify as a candidate for office who holds another elective office, the term of which or any part thereof runs concurrently with the term of office for which they seek to qualify without resigning from such office prior to qualifying for the new office. Said resignation shall be effective not later than the date upon which they would assume office if elected. Said resignation shall create a vacancy as of the effective date.

## Section 5. Election of Officers and Directors

The Election Committee shall be responsible for legal execution of all election procedures. The Election Committee shall present a copy of the standing election rules to the Board of Directors and the Representative Council no later than October of any year in which an election is held. The Representative Council shall

approve the standing election rules by a majority vote of those present and voting.

#### Section 6. Installation of Officers and Board Members

Newly elected Officers and Board Members shall be installed and assume their duties at the June Board of Directors meeting.

#### Section 7. Vacancy

- a. Upon vacation of the office of President, Vice-President and/or Secretary-Treasurer in this Association, the Representative Council shall immediately fill such vacancy for the remainder of the unexpired term. Upon the vacation of a Director position in this Association, the President shall immediately fill such vacancy for the remainder of the unexpired term subject to confirmation by the Representative Council except as provided in Section 7(c).
- b. Nominations for the vacant Association office will be taken from the floor at the next regularly scheduled Representative Council meeting. After certification of these candidates by the Election Committee, an election will be held at the same Representative Council meeting.
- c. Upon the vacation of a Director position due to the Director taking a leave of absence as provided in the Teacher/Board Contract, or the ESP/Board Contract, the President shall fill the vacancy temporarily for a period of time no less than three (3) months, and for no more than twelve (12) months subject to confirmation by the Representative Council.

## ARTICLE VIII - ELECTION QUALIFICATIONS AND DUTIES OF ASSOC. REPRESENTATIVES

### Section 1. Qualifications

A candidate for Association Representative shall be a member of the Association.

### Section 2. Regular Election

- a. Association members in each work location shall elect representatives and alternate representatives based on the work location's teacher and ESP membership.
- b. Teacher Association members in each work location shall elect one representative and one alternate representative for each twenty (20) teacher Association members or major fraction thereof.
- c. Each work location having at least one teacher member shall be entitled to at least one teacher representative and an alternate.
- d. ESP Association members in each work location shall elect one representative and one alternate representative for each twenty (20) ESP Association members or major fraction thereof.
- e. Each work location having at least one ESP member shall be entitled to at least one ESP representative and an alternate.
- f. Where more than one representative and alternate are elected, a senior representative and a senior alternate shall be designated. The senior representative may be either a teacher or an ESP representative.
- g. Regular elections in each work location shall be held during the month of August. Newly elected representatives shall be seated at the first Council meeting the following September.
- h. If in any work location the election of Association Representatives is in question, the president shall be authorized to investigate and, if necessary, conduct a new election under procedures established by the Election Committee.

### Section 3. Special Election

- a. Beginning in pre-school planning through the first week in September, special Representative elections will be held in work locations newly opened and in those work locations that lose Representatives due to transfer, resignation, etc.
- b. During the first week in November a special Representative election shall be held in those work locations where the total membership on November 1 alters the number of Representatives allocated to the work location.
- c. In the event that an election for a new Representative is necessary during any other time of the year, the CTA office shall be notified of the need for and results of the election.
- d. Newly elected Representatives shall take their seats at the first Council meeting held after their elections. Results of the election must be reported to the CTA office no later than 5:00 p.m. of the date of the Council meeting at which the new Representatives are to take their seats.

### Section 4. Duties

- a. In addition to serving on the Representative Council, Representatives and Alternates, with the Senior Representative as Chairperson, shall hold meetings of the Association members in their respective work locations, shall supervise, in respective work locations, all elections, shall organize the enrollment of members, shall post and distribute all Association materials, and shall perform any other duties which might be regarded as incidental to the position of Association Representative.
- b. Alternate Representatives shall vote as members of Representative Council only in the absence of Association Representatives from their work location

## BYLAWS: ARTICLE IX - COMMITTEES

### Section 1. Motions to Create Committees

Motions to create Committees may be proposed at any meeting of the Board of Directors or the Representative Council.

### Section 2. Election Committee

- a. There shall be an Election Committee of ten (10) members appointed at the October Representative Council meeting subject to the Council's approval.
- b. The Election Committee, appointed for a one-year term, shall be comprised of ten (10) members appointed by the President of which representation will consist of seven (7) teacher members and three (3) ESP Members.
- c. The Election Committee shall be responsible for the legal execution of all elections.
- d. No active candidate shall serve on the Election Committee, except that Committee members who wish to run as convention delegates are permitted to do so.
- e. No officer or Board member shall serve on the Election Committee.

### Section 3. ESP Committee

- a. There shall be an ESP Committee consisting of at least eleven (11) ESP members.
- b. ESP members holding Association Officer or Board positions shall be members of the ESP Committee.
- c. The Chairperson of the ESP Committee shall be the ESP member holding the highest elected office in the Association.
- d. Other members of the ESP Committee shall be appointed by the ESP Committee Chairperson after consulting with ESP members holding Association Officer and Board positions.
- e. The ESP Committee shall have the authority to recommend Association goals, objectives, policies, procedures and direction to the Board of Directors.

### Section 4. FYRE Committee

- a. The FYRE Committee will consist of FYRE members, which shall include any and all members of the certified bargaining units represented by HCTA (instructional and non-instructional) who are in their first five (5) years of their career or under forty (40) years of age.
- b. Voting members of the FYRE Committee shall be FYRE members who attend monthly meetings regularly (at least 3 consecutive meetings). If a FYRE voting member fails to attend regularly scheduled meetings of the for three consecutive months or any four months in any calendar year, or otherwise fails to perform any of their duties as a voting member, the FYRE Committee may, after giving the voting member reasonable notice and opportunity to be heard, recommend that the voting member status be revoked.
- c. The Chairperson of the FYRE Committee shall be elected by a majority of voting members of the FYRE Committee for the term of the election cycle of the HCTA President.
- d. Any HCTA member may attend monthly FYRE Committee meetings to provide input and support for planning and organizing.
- e. The FYRE Committee shall have the authority to recommend Association goals, objectives, policies, procedures and directions to the monthly meetings of the HCTA Representative Council and Board.



## **BYLAWS: ARTICLE X - STAFF**

### Section 1. Employment of Staff

The Board of Directors may employ a staff. The Executive Director shall serve as the chief staff officer of this Association.

### Section 2. Duties of Staff

The duties of the staff members shall be approved by the Board of Directors and included in the operating policies of the Association.

### Section 3. Executive Director Vacancy

In the event of the vacancy of the position of the Executive Director, the President shall immediately appoint an Acting Executive Director subject to confirmation by the Board of Directors.

## **ARTICLE XI - PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Association in all cases in which they are not inconsistent with the Constitution and Bylaws of the Association.

## **ARTICLE XII - AMENDMENTS**

These By-Laws may be amended by a majority vote of those present at any regular meeting of the Representative Council; provided the proposed amendments have been given to each work location and the Board of Directors at least ten (10) days in advance of said meeting.

## **ARTICLE XIII - DISSOLUTION**

Upon the dissolution of the Association, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the Association, dispose of all assets of the Association exclusively for the purpose of the Association, or donate the remaining assets for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future federal tax code and consistent with the purposes and objectives of the Association.

## **ARTICLE XIV - ADOPTION**

These By-Laws shall become effective immediately upon adoption thereof by a two-thirds vote of the members present at the May 12, 2016 meeting of this Association.