

**CONSTITUTION AND BYLAWS**

**OF THE**

**CENTRAL VALLEY EDUCATION**

**ASSOCIATION**

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BYLAWS**

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## NEA PREAMBLE

We, the members of the National Education Association of the United States, in order that the Association may serve as national spokesman for education, advance the cause of education for all individuals, promote professional excellence among educators, gain recognition of the basic importance of the teacher in the learning process, protect the rights of educators and advance their interests and welfare, secure professional autonomy, unite educators for effective citizenship, promote and protect human civil rights, and obtain for its members the benefits of an independent, united teaching profession, do hereby adopt this Constitution.

## WEA GOALS and OBJECTIVES

The **mission** of the Washington Education Association is to make public education the best it can be for students, staff, and communities.

Our **goal** is to build confidence in public education and increase support for Washington's public school system.

Our **objectives** are to:

- Increase WEA members' professional status and job satisfaction.
- Improve the quality of and access to public education for all students
- Forge partnerships with parents, business and community groups

# **CENTRAL VALLEY EDUCATION ASSOCIATION**

## **CONSTITUTION**

### **ARTICLE I - NAME**

The name of this Association shall be the Central Valley Education Association, hereafter referred to as CVEA.

### **ARTICLE II - PURPOSE**

The purpose of the CVEA shall be to advance the interests of the profession of teaching, to promote the cause of education, to work for the welfare of school children in the Central Valley School District and in the state of Washington, and to provide representation for its members with the Central Valley School administrators and directors.

### **ARTICLE III - MEMBERSHIP**

Any certified teacher contracted by the School Directors of the Central Valley School District covered by the Collective Bargaining Agreement willing to uphold the objectives and subscribe to the Bylaws and Standing Rules of the CVEA, the Washington Education Association, and the Code of Ethics of the National Education Association may become a member.

### **ARTICLE IV - OFFICERS**

The officers of the CVEA shall be a President, Vice President, Secretary, and four Members-at-Large representing the Elementary, Middle School and High School levels and special services.

### **ARTICLE V - EXECUTIVE BOARD**

The Executive Board of this Association shall consist of the officers of the Association and elected-at-large members.

### **ARTICLE VI - REPRESENTATIVE COUNCIL**

The Representative Council shall consist of the Executive Board and elected representatives of each representative unit as designated in the Standing Rules, provided: each representative unit shall be entitled to at least one representative.

## **ARTICLE VII - COMMITTEES**

The Executive Board of the Association shall establish standing committees and special and/or ad-hoc committees in cooperation with and parallel to the WEA and NEA as needed to fulfill the needs and policies of the Association.

## **ARTICLE VIII - AFFILIATIONS**

As an affiliate of the Washington Education Association and in compliance with the Washington State's Unified Membership Plan, members of the CVEA must concurrently belong to the Washington Education Association and the National Education Association.

## **ARTICLE IX - ELECTIONS AND TERMS OF OFFICE**

### **SECTION I - PRESIDENT**

The President shall be elected for a term of two years by means of a secret ballot following open nominations and in accordance with the procedures described in the Standing Rules of the Association, and shall serve as a delegate to the WEA and NEA during his/her term of office.

### **SECTION II - VICE PRESIDENT**

The Vice President shall be elected for a term of two years by means of a secret ballot following open nominations and in accordance with the procedures described in the By-Laws.

### **SECTION III – SECRETARY**

The Secretary shall be elected for a term of one year by secret ballot following open nominations and in accordance with the procedures described in the Standing Rules of this Association.

### **SECTION IV – EXECUTIVE BOARD MEMBERS-AT-LARGE**

The at-large positions to the Executive Board shall be elected for a term of one year by secret ballot following open nominations and in accordance with the procedures described in the Standing Rules of this Association.

#### SECTION V - ASSOCIATION DELEGATES

The Association Delegates to WEA and NEA Conventions shall be elected by secret ballot following open nominations and in accordance with the procedures described in the Standing Rules of this Association.

#### SECTION VI - ELECTION OF REPRESENTATIVE COUNCIL MEMBERS

Members of the Representative Council shall be elected by majority vote of a secret ballot following open nominations by the members of the organization within each representative unit.

#### SECTION VII - COMMITTEE CHAIRPERSONS

The Committee Chairperson shall be appointed by the President and approved by the Association Representative Council, except as established in the Standing Rules of this Association. Committee Chairpersons are nonvoting members of the Rep Council.

There may be a Technology Communications Chairperson. This will be a position appointed by the president and ratified by the Executive Committee. This person will be responsible for maintaining the CVEA website and other electronic media means of communicating with members (i.e. A Facebook page). This position shall include a stipend as addressed in the Policy Manual. There may also be a designated budget amount to be determined in the annual budget.

#### SECTION VIII - SPECIAL REFERENDUM AND/OR INITIATIVE ELECTIONS

The referendum ballot and election may be called by the Representative Council, or by petition of half or more members signing in the initiation unit and three members signing from each representative unit in the Association, or by petition of at least one-third (1/3) of the Association membership. The Executive Board shall determine the validity of petitions.



## SECTION IX - RECALL OF OFFICERS

Any officer, delegate or representative of this Association may be recalled from office or position as described in the By Laws.

## **ARTICLE X - ASSOCIATION BUDGET**

### SECTION I - TENTATIVE BUDGET

The President and the Executive Board shall develop and submit their tentative budget in September for approval by the Representative Council.

### SECTION II - FINAL BUDGET

The final budget shall be presented by the President for approval by the last meeting in October of the Representative Council.

### SECTION III - BUDGET DISTRIBUTION

The approved budget shall be printed and distributed to the Representative Council members at the first November Representative Council meeting. Sufficient copies of the budget shall be printed and on hand to supply single copy requests from members during the year.

## **ARTICLE XI - ACCOUNTABILITY**

### SECTION I - REVIEW

The Association books will be audited yearly as required by the WEA.

### SECTION II - BALANCE SHEET

Following review, a balance sheet will be completed and signed by the Vice President for presentation to the Representative Counsel at the first September meeting.

## **ARTICLE XII - AMENDING THE CONSTITUTION**

This Constitution may be ratified and/or amended by a two-thirds (2/3) vote of the membership voting by a secret ballot, provided that copies are distributed to all CVEA members at least two (2) calendar weeks in advance.

# CENTRAL VALLEY EDUCATION ASSOCIATION

## BYLAWS

### ARTICLE I - MEETINGS

#### SECTION I - GENERAL MEMBERSHIP MEETINGS

Paragraph 1 -- A general membership meeting shall be any meeting at which all members of the Association are requested to be present. General membership meetings may be called by the President or by the Representative Council or by a majority of the Executive Board

Paragraph 2 – No vote will be taken at a General Membership Meeting unless one third (1/3) of the members of the CVEA are present.

Paragraph 3 – General Meeting for Work Stoppage: Fifty one percent (51%) of the members must be present for a work stoppage vote to be taken. A secret ballot will be taken at the site.

Paragraph 4 – Ratification of Contract: (See ARTICLE IX, SECTION I, Paragraph 3 for information on the composition of the Bargaining Team. 1) The Team of Five will stay in close communication with the other members of the Team of Twelve. 2) When a tentative agreement (TA) is reached with the District, a meeting of the Team of Twelve will be held to explain the agreement and answer questions. The Team of Twelve must approve the TA by a 2/3 majority vote before the TA can be presented to the general membership. 3) When possible, after a notice of three (3) days, a general membership meeting will be held to inform members of the TA and to answer questions. 4) A contract ratification vote will then be held by secret ballot.

Paragraph 5 - Any member may request a general membership meeting which shall be called either upon the approval of the Representative Council or the approval of a majority of the Executive Board. Any member may call a special meeting by petition of a majority of member signatures from their representative unit and three (3) member signatures from each of the other representative units of the Association, or by petition of member signatures of at least one-third (1/3) of the total membership.

Paragraph 6 - There will be at least one general membership meeting during each school year.

## SECTION II - EMERGENCY GENERAL MEMBERSHIP MEETINGS

Paragraph 1 - Emergency general membership meetings shall be those meetings called by the President and/or Executive Board not scheduled in accordance with Section I of the Standing Rules. Purpose of the meeting and a twenty-four (24) hour notice must be given.

Paragraph 2 – No vote will be taken at a General Membership Meeting unless one third (1/3) of the members of the CVEA are present.

## SECTION III - REPRESENTATIVE COUNCIL MEETINGS

Paragraph 1 - The Representative Council shall meet at least once each month during the school year.

Paragraph 2 - A quorum at a regularly scheduled Representative Council meeting shall consist of those members present.

Paragraph 3 - The schedule of the Representative Council meetings each year will be determined by the President and approved by the Representative Council. The schedule will be printed and distributed to all Association Representatives at the beginning of the school year.

Paragraph 4 - Only unit representatives have voting privileges. Any member may attend any meeting of the Representative Council. Any member may address or enter the discussion of the Council with the approval of two-thirds (2/3) of the Council members present. The presence of members shall be subject to Paragraph 5 of this section.

Paragraph 5 - The Representative Council is obligated to exercise discretion and declare its meeting or proper portion thereof as confidential, excluding non-council members when, in the opinion of the President, the Association and/or its members would be best served by this decision.

## SECTION IV - SPECIAL REPRESENTATIVE COUNCIL MEETINGS

Paragraph 1 - Special Representative Council meetings shall be those meetings called by the President and/or Executive Board, not scheduled in accordance with Section III of the Standing Rules. A twenty-four (24) hour notice must be given.

Paragraph 2 - Any member of the Association may request the President to call a special meeting, whereupon the President shall act in the best interest of the Association in deciding the necessity of the meeting.

Paragraph 3 - Special Representative Council meetings shall require the attendance of one-half (1/2) of its members to constitute a quorum.

#### SECTION V - EXECUTIVE BOARD MEETINGS

Paragraph 1 - Meetings will be called once a month and the meetings shall be called by the President.

Paragraph 2 - Any member may attend any meeting of the Executive Board. Any member may address the Board or enter the discussion of the Board with the approval of a majority of the Board present, except as stated in Paragraph 3 of this section.

Paragraph 3 - The Executive Board may reserve the right to hold a confidential executive session or meeting whenever it is determined that the best interests of the Association and/or its members would be best served.

Paragraph 4 - The Executive Board may establish its own quorum and every effort will be made to contact all Executive Board members.

#### SECTION VI - COMMITTEE MEETINGS

Paragraph 1 - Committee meetings may be called by the Committee Chairperson by giving notice of the time, date and place of the meeting to all members of the Committee.

Paragraph 2 - Committee meetings of the Association shall not require a quorum; however, the Committee Chairperson shall notify the President of any member who fails to carry out his or her committee obligations, which may be cause for replacement.

Paragraph 3 - Any member of the Association may attend any Committee meeting and may address the meeting or enter its discussion with the approval of two-thirds (2/3) of the committee members present, except as stated in Paragraph 4 of this Section.

Paragraph 4 - All committees of this Association are directed to exercise their obligation and discretion and may declare the meeting or any portion of the meeting confidential, excluding non-members of the committee, whenever the best interests of the Association and/or its members would be served.

## **ARTICLE II - DUES AND ASSESSMENTS**

### **SECTION I - AMOUNT**

Paragraph 1 - The amount of the annual dues shall be .53 of one (1) percent of the previous year's district base salary.

Paragraph 2 - The annual dues of teachers who present proof of one-half (1/2) time employment or less shall be one-half (1/2) of the dues for active members as listed above.

Paragraph 3 - An additional Two Dollars (\$2) per year, not to be counted as part of the basic dues, shall be collected from all members for the Crisis Fund until the Crisis Fund contains at least Ten Thousand Dollars (\$10,000). The Representative Council shall determine what constitutes a crisis for the Association.

### **SECTION II - WHEN AND HOW PAID**

Automatic payroll authorization will constitute continuous membership.

## **ARTICLE III - BYLAWS**

### **SECTION I - CONSTITUTION VS BYLAWS**

The Constitution of this Association in conjunction with the Bylaws shall be the guiding regulation of this Association, and the Bylaws shall be the means of implementing the Constitution and cannot oppose or contradict the objectives or structure of the Constitution.

### **SECTION II – BY LAWS APPEAL**

A member, after appealing a change in the Bylaws before the Representative Council, and desiring to place the issue before the entire membership, may do so by petition for a referendum and/or initiative election.

#### **ARTICLE IV - AUTHORITY**

Sturgis' Standard Code of Parliamentary Procedure shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such operating procedures as the Representative Council may adopt.

#### **ARTICLE V - DUTIES AND POWERS OF OFFICERS AND OFFICIALS**

##### **SECTION I - PRESIDENT**

The President shall preside at all General Membership, Representative Council and Executive Board meetings of the Association, and shall perform all duties usually performed by the executive of such an organization, including but not limited to:

- appointing, with the approval of the Representative Council, the chairpersons of all committees (standing, special and ad-hoc)
- working with the chairpersons to appoint the members of the committees
- serving as an ex-officio member of all committees
- representing the Association, either personally or by an appointed delegate, at School Board meetings and other occasions
- serving as an Association Delegate to the NEA, the WEA and UniServ
- having the power to appoint a Parliamentarian.

##### **SECTION II - VICE PRESIDENT / TREASURER**

The Vice President shall:

- Act as President in the absence of the President or if for any reason the Presidency shall become vacant. If the President becomes incapacitated for any reason, the Vice President shall take over for the remainder of the term or until the President is able to resume the duties of the office.
- Hold the funds of the Association, disperse them as approved by the Executive Board and keep an accurate and complete record of all transactions.
- Keep the President and Executive Board informed of the financial condition of the Association.

- Prepare an annual financial statement.
- Disperse the assets of the Association in accordance with policies established by the Representative Council.

### SECTION III – SECRETARY

The Secretary shall:

- Be responsible for keeping accurate, complete minutes of the Executive Board and Representative Council and General Meeting.
- Maintain official files.
- Assist the President with the Association correspondence.
- Maintain a roll of members and supply a copy to the president.
- Report to each meeting of the Representative Council.

### SECTION V – EXECUTIVE BOARD MEMBERS AT-LARGE

The Executive Board Members At-Large shall attend all Executive Board meetings.

### SECTION VI - OFFICE MANAGER/EXECUTIVE SECRETARY

The President shall have the authority to employ a person for the position of Office Manager/Executive Secretary.

The Office Manager/Executive Secretary duties will be to aid the elected officers and the Executive Board in the performance of their duties..

### SECTION VII - WEA OR NEA DELEGATES

The term of office for each delegate position to the National Education Association Representative Assembly or the Washington Education Association Representative Assembly shall be for a period of one year. The election for the delegates shall be in compliance with the WEA/NEA guidelines.

## **ARTICLE VI - DUTIES AND POWERS OF THE EXECUTIVE BOARD**

### SECTION I - ROLES OF EXECUTIVE BOARD

The Executive Board shall be responsible for the management of the Association, shall carry out all policies established by the Representative Council, shall report



its transactions and those of the Council to the members, and shall suggest policies for consideration by the Council.

## SECTION II - POWERS OF EXECUTIVE BOARD

The Executive Board shall have the power to censure, suspend or expel from the CVEA any member for cause after due process, and shall have the power to reinstate any suspended or expelled member and notify the Washington Education Association and National Education Association of such actions.

## **ARTICLE VII - DUTIES AND POWERS OF THE REPRESENTATIVE COUNCIL**

### SECTION I - ROLES OF REPRESENTATIVE COUNCIL

The Representative Council shall adopt the budget, shall act on recommendations of committees, shall adopt resolutions and other policy statements. It may adopt such rules governing the employment of staff, the conduct of the Association and the conduct of meetings as are consistent with the Constitution and ByLaws. It shall be the final judge of the qualifications in the election of officers and unit representatives. Powers not delegated to the Executive Board, the officers or other groups in the Association shall be vested in the Representative Council. The Representative Council shall have the authority to vote in offices by acclamation when candidates are running unopposed.

### SECTION II - DELEGATES TO REPRESENTATIVE COUNCIL

The Representative Council shall consist of at least one delegate from each faculty unit. A faculty unit shall be defined as each building in the district that houses certificated employees, plus a faculty unit to represent any special services certificated employees housed elsewhere. Faculty units shall be entitled to a delegate for each ten (10) active members or major fraction thereof (six (6) or more). No Executive Board member should simultaneously serve as a Building Representative. The Representative Council may also include one (1) retired teacher representative without voting privilege.

### SECTION III - BUILDING REPRESENTATIVES

Paragraph 1 - The unit shall delegate one of the representatives to serve as head unit representative. No current officer may serve as a building representative.

### SECTION IV - AT-LARGE REPRESENTATIVES

Paragraph 2 - Additional At-large members may be elected to meet ethnic, minority or educational positions guaranteed by the WEA or NEA. If after an election, the Executive Board of the Central Valley Education Association does not contain representatives from all three teaching levels, (Elementary, Jr. High, and Sr. High) additional Executive Board member(s) will be added in the missing areas.

## **ARTICLE VIII - NOMINATIONS, ELECTIONS, TERMS OF OFFICE AND REMOVAL FROM OFFICE**

### SECTION 1 - NOMINATIONS

Paragraph I – Any member of the Association and any representative unit may nominate a candidate for President, Vice President, Association Delegates, Secretary, and Executive Board Member at Large no later than the month of January. Written nominations shall be filed in writing two weeks prior to the election.

Paragraph 2 – Candidate information will be provided in the Association newsletter directly prior to elections.

Paragraph 3 - A General Membership meeting will be held prior to elections for the purpose of introducing all candidates. At this time nominations will be accepted from the floor.

### SECTION II - BALLOTS AND ELECTIONS

Paragraph 1 - Election procedures will be developed and set up by the Executive Board and approved by the Representative Council.

Paragraph 2 - An Audit Committee shall count the votes and report the results to the President of the Association, who shall publish and distribute them through the head unit representative.

### SECTION III - TERM OF OFFICE

Paragraph 1 - All officers shall assume office after the NEA-RA and shall serve for their elected term or until removed from office for just cause. The seated president will be given one of the delegate slots to the NEA-RA.

Paragraph 2 - In the case of death, inability to complete the term of office, resignation, recall, or office vacancy of any of the officers of the Association, except the President, the Representative Council, after notification to the membership, shall hold an election to fill the vacancy.

Paragraph 3 - Any officer may be recalled or removed, with cause, at any election called for that purpose by a two-thirds (2/3) vote of all members voting. In the event the President is recalled or removed, the Vice President shall assume the office of President.

## ARTICLE IX - STANDING COMMITTEES

### SECTION I - STRUCTURE

Paragraph 1 - The chairpersons of committees are to be appointed by the President. The Representative Council shall approve chairperson appointments.

Paragraph 2 - The committee members shall serve a term of office for one year and may be reappointed.

Paragraph 3 – Bargaining Committee:

1. Composition: The CVEA Executive Board and six (6) members selected by the membership will make up the Bargaining Team of Twelve (12).
2. The Team of Twelve (12) will choose a team of Five (5) to do the actual bargaining with the District.

3. Term of Service: Terms of service for the Team of Five (5) will be for a minimum of the term of the contract.
4. Vacancies for the Team of Five (5) will be filled from the remaining members of the Team of Twelve (12).
5. The Representative Council will fill any Team of Twelve (12) vacancy that occurs during bargaining years.

Paragraph 4 - Each Standing Committee may organize subcommittees or task forces as the need arises.

Paragraph 5 - Each Standing Committee shall meet regularly and may hold special meetings when called by the chairperson. The committee shall inform the President of their meeting schedule.

Paragraph 6 - Standing Committees have no vote in Representative Council.

## **ARTICLE X - SPECIAL AND AD-HOC COMMITTEES**

Each year the President shall appoint special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Council

## **Article XI – WHISTLEBLOWER POLICY**

CVEA officials are obligated to comply with all relevant legal requirements in carrying out their CVEA responsibilities. A failure to meet this obligation – whether intentional or inadvertent – can have adverse consequences for the reputation and operation of CVEA. The purpose of the Whistleblower Policy (“WB Policy”) is to establish a procedure by means of which any such failures (or suspected failures) can be brought to the attention of CVEA, so that appropriate corrective action can be taken.

### **I. Definitions**

As used in the WB Policy, the following terms have the meanings indicated:

- a. The term “misconduct” means an action taken by a CVEA official in carrying out his or her CVEA responsibilities that is in violation of a legal requirement.
- b. The term “CVEA official” means a CVEA President and Vice President, a member of the CVEA Executive Committee.
- c. The term “person” means a member of CVEA, or an employee of CVEA.

- d. The term “whistleblower” means a person who notifies the WB Officer of an action that he or she has reasonable cause to believe constitutes misconduct.

## **II. Notifying CVEA of alleged misconduct**

- a. Any person who has reasonable cause to believe that a CVEA official has engaged in or is about to engage in misconduct, should notify a CVEA Executive Board Member or the WEA General Council. That person (the whistleblower) shall identify himself or herself in the notice to the member, but the member shall, if requested to do so by the whistleblower, treat the notice as anonymous and shall not, except in response to a legal mandate, reveal the whistleblower’s name.
- b. The Board Member shall conduct an expeditious investigation of the alleged misconduct and shall submit to the CVEA Executive Board a written opinion setting forth its conclusions as to whether the CVEA official has engaged in or is about to engage in misconduct, and if so, what should be done to correct the situation.
- c. After consulting with the CVEA Executive Board, arrangements are to be taken to correct the situation.
- d. The CVEA Executive Committee, shall arrange for appropriate disciplinary action to be taken against that person.

## **III. Protection of person who provides evidence of alleged misconduct**

- a. No person shall be subject to any form of direct or indirect retaliation by a CVEA official, a CVEA employee, or other CVEA representative because he or she (1) is a whistleblower, (2) has participated in an investigation of alleged misconduct, or (3) has in good faith in any other way been involved in the implementation of the WB Policy.
- b. If any person believes that he or she has been subject to retaliation in violation of Section (a) above, that person shall report such retaliation to the CVEA Executive Board. The Board shall investigate the matter, and if the Board concludes that a CVEA official, CVEA employee, or other CVEA representative has engaged in retaliation, shall arrange for

appropriate disciplinary action to be taken against said CVEA official, CVEA employee, or representative of CVEA.

## **ARTICLE XII - AMENDING THE BYLAWS**

These Bylaws may be amended by two-thirds (2/3) vote of the Representative Council at any regular or special meeting of that body, provided that copies of the change are distributed to all CVEA members at least two (2) calendar weeks in advance of the meeting.