

BYLAWS

Santa Ana Educators' Association/CTA/NEA

I. NAME AND LOCATION

The name of this Association shall be the Santa Ana Educators' Association (SAEA)/CTA/NEA in Orange County.

II. PURPOSES

The primary purposes of SAEA shall be:

- A. To represent all unit members; i.e., those job classifications covered by the Collective Bargaining Agreement (CBA), in their relations with their employer Santa Ana Unified School District (SAUSD) and be the exclusive representative of unit members in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours of work, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for unit members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To encourage Minority (American Indian/Alaska Native, African-American, Hispanic, Pacific Asian) representation within all SAEA membership bodies (Executive Board of Directors, Representative Council, and all committees).
- E. To promote professional attitudes and ethical conduct among unit members;
- F. To encourage cooperation and communication between the profession and the community;
- G. To foster good fellowship among unit members;
- H. To continuously represent all unit members both individually and collectively in matters arising from the interpretation and application of policies and laws before officials of the SAUSD and other public officials having jurisdiction in any way over the educational service of unit members who are employees of the SAUSD;
- I. To serve all unit members in any other lawful manner leading directly or indirectly to the improvement of the group and individual morale and welfare with regard to service and educational profession; and
- J. To secure the implementation of these policies and purposes through each of the following means:
 1. By negotiations and consultations with the Board of Trustees of the SAUSD (or and any successor districts resulting from any reorganization thereof or secession there from);
 2. By appropriate political and legislative activities in conjunction with state and national affiliates and other associations; and
 3. By building appropriate coalitions with any individuals or organizations that directly affect, advance, or support public education.

III. AFFILIATION WITH THE CTA/NEA

- A. SAEA shall be a chartered chapter of the California Teachers Association (CTA).
- B. SAEA shall be an affiliated local association of the National Education Association (NEA).

IV. MEMBERSHIP

- A. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of Santa Ana Unified School District(or and any successor districts resulting from any reorganization thereof or secession there from), and whose primary assignment is such as not to hold evaluatory responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.

- B. Membership shall be granted upon initiation of payroll deduction or, payment of annual dues to SAEA, CTA and NEA appropriate to the class of membership.
- C. The right to vote and to hold elective office or appointive position within SAEA shall be limited to Active members.
- D. Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of SAEA.
- E. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in SAEA.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.
- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, religion, marital status, national origin or sexual orientation.
- H. All active SAEA members shall enjoy the privilege of discussion as non-voting observers at all meetings. Only elected Representatives, Officers, or Alternates shall have the right to make motions and to vote at meetings at which the business of SAEA is to be conducted.
- I. No SAEA member shall attain rights to any property of SAEA as a result of membership.
- J. 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.
- K. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

V. DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active SAEA members and fee payers shall be sufficient to cover the operating expenses of SAEA, the dues of CTA, and the dues of NEA.
- B. SAEA's portion of the basic annual dues shall be established by action of the Representative Council with the adoption of the annual budget and shall be indexed based on the negotiated salary. The representation fee shall be equal to the total SAEA dues less legally required refunds.
- C. Annual membership and fee payer dues may be paid in cash or by payroll deduction. The Representative Council may adopt different categories of membership.
- D. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.
- E. Special assessments/fees beyond normal annual dues may be levied in the event of an emergency by a two-thirds (2/3) vote of the Representative Council following ten school days notice to the Active membership.

VI. POLICY-MAKING BODY

- A. The Representative Council shall be the policy-making body of SAEA, shall be elected from active SAEA members and shall derive its powers from and be responsible to the SAEA membership.
- B. The Representative Council shall be exclusively comprised of the following active SAEA voting members:
 1. Executive Officers, ex-officio voting;
 2. Board of Directors; and

3. Site Representatives elected on the basis of one-person, one-vote.

C. The Representative Council shall:

1. Establish Association policies and objectives;
2. Serve as a vehicle through which the unit membership can develop written policies and legislative goals for achieving best possible conditions of educational services and participate in content and curriculum development, textbook selection, educational improvements and progress within the SAUSD;
3. Adopt the annual budget of SAEA on or before the first meeting of the school year;
4. Approve the establishment or discontinuance of committees recommended by the Board of Directors; and
5. Establish the dues of SAEA.
6. Ensure that no member of SAEA may be disciplined without a due process hearing, which shall include the established appellate procedure.

D. The Representative Council shall meet at least once during each school month; the dates, place, and time of meetings to be decided by the executive board.

E. Special meetings of the Representative Council shall be called by the President, a majority of the Board of Directors or by the petition of twenty (20%) of the membership.

F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.

G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two days prior to the date of the meeting.

H. For emergency meetings of the Representative Council during crisis situations, the Board of Directors shall adopt procedures to notify representatives of meeting dates, places, and times.

I. Members of the Representative Council shall serve a term of one (1) year. (EXCEPT FOR THE CTA STATE COUNCIL REPRESENTATIVES, WHOSE TERMS ARE SET BY CTA.)

J. A quorum for all meetings of the Representative Council shall consist of a majority of elected Representatives who have signed in.

K. Any active SAEA member or fee payer may attend Council meetings as non-voting participants.

VII. RESPONSIBILITIES OF SITE REPRESENTATIVES

A. Site representatives shall be elected by and from the Active SAEA membership for each work site. Such election shall be by open nominations and by secret ballot.

B. Each work site shall be allocated at least one site representative and shall have one additional representative for each twenty (20) SAEA members, or major fraction thereof.

C. Active members who are not represented through an individual school faculty group shall be counted as a special site/ site unit group entitled to the same representation on the Representative Council as individual school faculty groups. Active SAEA members who travel from site to site shall be limited to representation at only one of their designated sites.

D. Vacancies: Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.

E. Site Representatives shall:

1. Attend all Representative Council meetings, or in case of an absence, be represented by elected Alternates who may only vote at that time;

2. Have the right to make motions and vote at all Representative Council meetings on the basis of one-person one-vote;
 3. Conduct constant and ongoing liaison between the Representative Council and the Active members of the site; including the maintaining and updating of a current SAEA bulletin board at the site
 4. Serve as the official contact through which information can be easily and quickly transmitted between SAEA and all unit members;
 5. Represent the views and input of the work site in votes taken at the Representative Council meetings, conducting frequent and regular polls of such membership for this purpose; and
 6. Perform such additional duties as prescribed by the Board of Directors.
- F. A site Representative may not conduct an election in which he/she is a candidate.

VIII. OFFICERS

- A. The officers of SAEA shall be a President, a First Vice-President, a Second Vice-President, a Secretary, and a Treasurer.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. Such election(s) shall be by open nominations and by secret ballot including write-in provisions.
- D. Officers shall be elected for a term of two year(s), commencing on July 1 of any calendar year.
 1. No Executive Officer shall serve for more than three consecutive, two-year terms in the same office.
- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of SAEA.
 1. In the event a vacancy occurs in the other offices or the Board of Directors, the President shall appoint a successor, with the Board's approval, to fill the unexpired terms until the next election can be arranged.
- F. The President shall be the chief executive officer of SAEA and its policy leader.

The President shall:

 1. Preside at all meetings of SAEA, the Representative Council and the Board of Directors;
 2. Prepare the preliminary agenda for the meetings of SAEA, the Representative Council and the Board of Directors;
 3. Be the official spokesperson for SAEA;
 4. Be familiar with the governance documents of SAEA, CTA, and NEA;
 5. Appoint or remove all chairpersons and members of committees, of the Bargaining Team and of task forces with the approval of the Board of Directors by the beginning of each school year.
 6. Call meetings of SAEA, the Representative Council, the Executive Officers and the Board of Directors;
 7. Suggest policies, plans and activities for SAEA and be held responsible for the progress and work of SAEA;
 8. Propose the procedures for grievance processing for ratification by the Executive Board and Representative Council;
 9. Meet with CTA Executive Directors and Santa Ana Unified School District as needed;
 10. Attend regular meetings of the SAUSD Board of Education, or assign a designee as representative at such meetings;

11. Attend meetings of the Service Center Council of which SAEA is a part;
12. Attend other CTA/NEA meetings as directed by the Representative Council or as directed by the Board of Directors or Representative Council;
13. Give a monthly report of SAEA responsibilities to the Board of Directors and Representative Council.

G. The First Vice-President shall:

1. Serve as assistant to the President in all duties of the President;
2. Assume the duties of the President in the absence of the President;
3. Coordinate, with the President, SAEA's calendar of activities;
4. Keep an accurate roster of all committees and serve as coordinator of committee activities at the direction of the President;
5. Assist and direct committee chairpersons;
6. Give a monthly report of SAEA responsibilities, including committee activities to the Board of Directors and Representative Council; and
7. Perform such duties as may be directed by the President.

H. The Second Vice-President shall:

1. Assume the duties of the First Vice-President in the absence of the First Vice-President;
2. Be responsible for organizing and assisting a membership committee to maintain and increase SAEA membership;
3. Be responsible for organizing, assisting and directing Site Representatives and membership programs at the site level;
4. Keep an accurate roster of the membership and Site Representatives of the Local Association;
5. Give a monthly report of SAEA responsibilities, including committee activities to the Board of Directors and Representative Council; and
6. Perform such duties as may be directed by the President.

I. The Secretary shall:

1. Keep an accurate record of each meeting, regular or special, of the Representative Council, the Executive Officers and the Board of Directors;
2. Be responsible for the distribution and maintenance of minutes, notice of meetings, and agendas for all meetings to the members of the Representative Council and Executive Board, and to the membership when appropriate.
3. Keep an accurate roster of membership of the association and of all committees; and
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
5. Perform such duties as may be directed by the President.

J. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for the safekeeping and reporting of all funds belonging to SAEA;
2. Disseminate such SAEA funds as directed by the President. Such disbursements shall have two signatures from the Board of Directors, none of which may be from the member receiving any payment;
3. Arrange for the payment of SAEA's operational expenses no less than five (5) days prior to their due dates;
4. Chair a Budget Committee, and meet with that Committee at least quarterly;

5. Provide information necessary for the preparation of monthly financial statements and a year-end financial report to a qualified accounting agent;
6. Provide information necessary for the preparation of an audit by a certified, independent accountant; and when completed distribute a summary of the audit to the membership;
7. Prepare an annual budget for SAEA in consultation with the Budget Committee, Board of Directors, CTA Staff, and other professional accounting staff as directed by the Board of Directors;
8. Submit membership and financial reports to CTA, NEA, and other agencies as required by law;
9. Give a monthly written report of Budget Committee meetings and, upon request, all financial transactions, including monthly or yearly audits as they relate to budget/finances, to the Representative Council and Board of Directors; and
10. Perform such duties as may be directed by the President.

K. Second Release Person

On a yearly basis, should a full (traditional calendar) or part-time Release Person be approved by the Board of Directors, the President shall negotiate terms of release with the District. The release person must be a current member of the Board of Directors, and must be approved by the Representative Council.

The duties of the Release Person shall include:

1. Contract maintenance;
2. Grievance processing;
3. Arbitration coordination;
4. Assist with membership issues;
5. Oversee SAEA communications under the direction of the President;
6. Maintain Memorandum of Understanding records;
7. Professional library upkeep;
8. Perform such duties as may be directed by the President.

IX. BOARD OF DIRECTORS

- A. The Board of Directors shall be comprised of the Executive Officers, 11 members elected from the membership shall be elected by and from the Active membership of SAEA, as long as this complies with the “one-person–one-vote” rule:
 1. The Board of Directors shall consist of five elementary level and five secondary level representatives.
 - a. Of the five secondary directors, two shall be from the intermediate level and three from the high school level.
 2. The Racial and Ethnic Minority Director shall be elected by and from the Active membership of SAEA;
 3. The immediate Past President may serve for one year as an ex-officio, voting member;
 4. The CTA State Council of Education Representatives shall serve as ex-officio, non-voting members; and
 5. The Board of Directors may appoint ex-officio, non-voting auxiliary officers: e.g. a Parliamentarian, a Sergeant at Arms, an Ombudsman, etc. al., or as the business of SAEA may require.
- B. All members of the Board of Directors shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The members of the Board of Directors shall be elected by and from the Active membership of SAEA with open nominations and by secret ballot including write-in provisions.
- D. The members of the Board of Directors shall be elected for a term of two year(s), commencing on July 1 of any calendar year.
 1. No Executive Officer shall serve for more than three consecutive, two-year terms in the same office.

- E. Vacancies in the position of members of the Board of Directors shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, the President may appoint a successor, with the board's approval, to fill the unexpired term until the next general election.
- F. The Board of Directors shall meet before each regular meeting of the Representative Council and at such other times as the President or at least two Executive Officers may deem necessary, or upon written petition of a majority of the members of the Board of Directors;
 - 1. No official business of SAEA shall be conducted by the Board when less than a majority of the total-voting Directors are present.
 - 2. Members of the Board of Directors shall not be permitted to vote through proxy.
- G. The duties of the Board of Directors shall be to:
 - 1. Assist in coordinating the activities of SAEA;
 - 2. Act for the Representative Council when school is not in session.
 - 3. Direct the bargaining activities and grievance processing of SAEA, subject to policies set by the Representative Council;
 - 4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of the Bargaining Team members as recommended by the President;
 - 5. Recommend a budget for SAEA to the Representative Council and be responsible for establishing adequate procedures for control of the expenditure of funds;
 - 6. Approve by majority vote all appointment and removal of committee members, including chairpersons . Adopt the Standing Rules for the Association;
 - 8. Adopt grievance procedure;
 - 9. Serve as liaisons to committees/task forces;
 - 10. Ensure that the unit membership has adequate access to the non-privileged business records of SAEA;
 - 11. Attend all meetings of the Board of Directors
 - a. If a member of the Board of Directors does not attend three consecutive meetings without an excused absence, removal from his/her office is deemed automatic unless specifically excused by action of the Board of Directors.
 - 12. Attend all meetings of the Representative Council, and meetings as otherwise outlined in their duties;
 - 13. Establish an on-going "special recognition" committee from amongst the Board of Directors to acknowledge special occasions: i.e. "Day of the Teacher," Secretaries' Day, etc.; and
 - 14. Exercise all the business and organizational powers and duties for SAEA as prescribed by law and these bylaws, in accordance with the policies established by the Representative Council.
- H. The Elementary and Secondary Segment Directors shall:
 - 1. Consist of five elementary level and five secondary (two Intermediate School and three High School) level representatives;
 - 2. Act as the primary contact from the Board of Directors to Site Representatives;
 - 3. Assist in developing Site representation and participation: e.g. trainings, conferences, workshops and committees;
 - 4. Assist in maintaining and increasing SAEA membership;
 - 5. Assist Site Representatives in fulfilling their responsibilities; and

6. Perform such duties as may be directed by the President.
- I. The Racial and Ethnic Minority Director shall:
 1. Represent members of racial and ethnic groups as defined by CTA/NEA;
 2. Actively recruit and involve racial and ethnic minority group members in all aspects of SAEA;
 3. Encourage awareness and sensitivity to racial and ethnic minority group members' issues and concerns;
 4. Promote racial and ethnic minority group leadership training programs;
 5. Make specific recommendations to the Board of Directors and Representative Council regarding appropriate means and methods for continuing racial and ethnic minority group input into SAEA;
 6. Represent SAEA at CTA/NEA meetings and conferences dealing with racial and ethnic minority group issues as allocated in the Budget; and
 7. Perform such duties as may be directed by the President.
 - J. The State Council Representatives shall:
 1. Serve no more than three consecutive, three-year terms;
 2. Serve as ex-officio, non-voting members of the Board of Directors;
 3. Attend and actively participate in all CTA State Council, Service Center Council, and CTA committees or sub-committees as assigned and called:
 - a. In the event an elected Representative is unable to attend a meeting of the State Council of Education an elected alternate shall be designated.
 - b. Only those alternates who have been officially certified by the CTA Elections and Credentials Committee prior to the opening of the first session of State Council shall be seated and permitted to vote.
 4. Become informed on professional and educational matters dealing with SAEA and be prepared to make appropriate presentation of recommendations originating in SAEA;
 5. Attend all Board of Directors and Representative Council meetings;
 6. Perform other duties as may be assigned to Representatives by action of the State Council of Education.
 - K. A quorum for all meetings of the Board of Directors shall consist of a majority of the voting members of that body (including the past president).
- X. MEETINGS OF THE GENERAL MEMBERSHIP
- A. Meetings of SAEA may be called by the President, the Board of Directors, or by written petition of twenty percent (20%) of the membership.
 - B. Notices of SAEA meetings including date, place, time, and purpose of the meeting shall be made available to all members of SAEA at least two days before the meeting except during crisis situations.
 - C. For emergency meetings during crisis situations, the Board of Directors shall adopt procedures to notify SAEA membership of meeting dates, places and times.
 - D. A quorum for meetings of SAEA shall be a majority of the active membership.
- XI. BARGAINING TEAM
- A. The Bargaining Team and such alternates as the Board of Directors deems necessary shall be appointed by the President and approved by the Board of Directors.
 - B. The President shall appoint and remove any member and/or the chairperson of the Bargaining Team with the concurrence of the Board of Directors.

- C. Vacancies created by resignation or inability to serve shall be by appointment of the Board of Directors from the list of alternates.
- D. The Board of Directors, by two-thirds (2/3) majority, may remove a member of the Bargaining Team and appoint a replacement from the list of alternates.
- E. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit.
- F. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Board of Directors subject to policies established by the membership.
- G. All employees shall be surveyed to determine contents of the proposed contract demands, and the contract proposal unit shall be approved by Association members.
- H. The Bargaining Team shall report its activities to the Board of Directors in such form and with such frequency as the Board of Directors may require.
- I. The Board of Directors shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- J. Agreement reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the active membership unless such ratification shall have been specifically waived or otherwise delegated by the active membership.

XII. GRIEVANCE PROCESSING

- A. The Board of Directors shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
 1. Provide for representation to assist all members of the bargaining unit in processing grievances;
 2. Train for handling of grievances;
 3. Evaluation of the SAEA's grievance policies and procedures;
 4. Representation of SAEA at any Grievance proceedings;
 5. Recommendations to the Board of Directors regarding the budget for Grievance processing and arbitration costs;
 6. Consideration of the merits of each Grievance and make a recommendation to the Board of Directors regarding the submission of a Grievance to arbitration or court;
 7. Records of all Grievances processed;
 8. Monthly information to the Board of Directors regarding the operation of the Grievance program;
 9. Annual appointment/renewal by the President with the advice and assistance of the Board of Directors; and
 10. Responsibility for implementation of SAEA's Grievance program.

XIII. NOMINATIONS AND ELECTIONS

The Chapter President must provide Active members an opportunity to vote in all elections.

Chapter Presidents do not have the option of deciding that such elections shall not be held except for NEA-RA Local Delegate elections where, following a period of open nominations, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled and the affiliate has adopted a governing provision or election policy allowing such a practice.

- A. There shall be an appointed Elections Committee.
- B. Elections shall be conducted with:
 - 1. Open nomination procedure;
 - 2. Secret ballot;
 - 3. All active member vote;
 - 4. Record of voters receiving or casting ballots;
 - 5. Majority vote, unless otherwise specified.
- C. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- E. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines.
- F. The duties of the Elections Committee shall be to:
 - 1. Ensure that all SAEA/CTA/NEA election codes and timelines are followed;
 - 2. Establish election timelines;
 - 3. Develop and carry out timelines and procedures;
 - 4. Prepare ballots for election of officers and such other elections as may be necessary;
 - 5. Count the ballots and certify the results;
 - 6. Handle initial challenges.

XIV. COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Board of Directors, subject to approval by the Representative Council.
- B. Each committee shall submit periodic reports to the Board of Directors and Representative Council.

XV. PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised, latest edition, shall be followed at all meetings of the Association, the Representative Council, and the Board of Directors.

XVI. AMENDMENTS/PROCEDURES:

These Bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

STANDING RULES
NOMINATIONS AND ELECTIONS

A. Elections Committee

1. There shall be an Elections Committee.
2. The Elections Committee and Chairperson shall be appointed by the president and approved by the Board of Directors to which it is responsible at the beginning of each school year
3. The Elections Committee shall be composed of at least three members who are not on the Executive Board, who are familiar with the unit operations, and who are not seeking election.
4. The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial
5. A member shall abstain from participation in Elections Committee activities during the period in which he/she or his/her immediate family member is a candidate.

B. Election Requirements

1. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). The only qualifications for office shall be active membership in the chapter.
2. Every active member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
4. There shall be an all active member vote. A member who is off-track shall be sent election information by mail to his/her last known residence.
5. A chapter shall provide means for all active members to vote (including vote by mail), and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly scheduled voting place.
6. An active 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 a roster of active members is prepared for a school site ahead of time, initials of the member may be accepted.
7. 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 two candidates receiving the highest number of votes.

C. Announcement

1. The announcement of election shall include the offices, length of terms, and the election timeline.
2. The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy.

D. Timeline

1. Schools on alternative calendars shall be considered when setting election timelines.
2. The timeline for the election shall include dates for:
 - a. Announcement of vacancy(ies) and term(s) of office using a method that will ensure each member is aware of the opportunity to file a declaration of candidacy.
 - b. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;

- c. Place, time, and date of receipt (date received, not post-marked date) for declaration of candidacy forms;
- d. Final date to acknowledge candidates' declaration of candidacy;
- e. Date for preparation of ballots.
- f. Date on which ballots will be distributed.
- g. Deadline date for requesting absentee ballot
- h. Date(s) when voting will take place.
- i. Deadline date (date received, not post-marked date), time and place for return of ballots, including absentee ballots.
- j. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots; -
- k. Date(s) that announcement of results will be made to leadership, candidates and members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots; -
- l. Dates and timelines for run-off election, if necessary and,
- m. Deadline for filing of challenges to initial challenge and run-off if held (date received, not post-marked date) .

E. Finances

- 1. Chapter moneys received through dues, assessment or similar levy shall not be used to promote any candidate.
- 2. 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.
- 3. A unit cannot state or indicate its preference for a candidate in the unit's publications.
- 4. The use of links to any Association website by a candidate is prohibited.
- 5. Candidates cannot campaign on any chapter, Service center Council, UniServ or district-created social networking site.
- 6. District email addresses and/or systems shall not be used for campaigning.
- 7. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of the unit, CTA, or any of its affiliates. This prohibition includes candidate email addresses.

F. Candidate's Rights

- 1. Privileges extended to one candidate shall be extended to all candidates.
- 2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
- 3. Each candidate shall have the right of access to a list containing the names and last known school site of all members as well as the number of active members at each site for the purposes of campaigning.
- 4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.

G. Ballot

1. The names of the candidates shall be printed on the ballot in CTA election alphabet. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.

In the event that the last name of more than one candidate begins with the same letter or more than one candidate has the same last name, the CTA alphabetical order shall continue to be applied throughout the name including the first name.

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

H. Distribution of Ballots and Method of Voting

1. Each member shall receive a ballot. Active members who are off-track or on a dues-paying leave shall be notified by mail in order to provide them an opportunity to vote.
2. Voting shall be by one or a combination of the following methods:

- a. At School Site/Specified Voting Site

If a Site Representative is a candidate, refer to *A. Elections Committee, 6.*

- 1). Voting At School Site(s)/Specified Voting Site – Using Ballot Box

- a). Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.

- (1) Voter Roster – List of eligible voters.

- (2) Voter Sign-up Sheet – List of eligible voters that includes a place for a signature.

- b). The marked ballot must be returned to a designated site representative or ballot box.

- c). Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time.

Ballots must be secured and uncounted. Roster/Sign-up sheets and ballots from each site must be kept together until verified by Elections Committee.

- d). Preliminary counts shall not be completed at school/work sites.

- e). Refer to Section K for the Counting of Ballots procedures.

- 2). Voting At School Site(s)/Specified Voting Site Using Envelopes

When voting is conducted at school or specified sites using envelopes, the procedure shall be as follows:

- a). A list of current Active members shall be prepared, which includes each member's name, and school/work ~~and home~~ address.

- b). The voter shall be provided with the following:

- (1). A ballot;

- (2). Instructions on folding of the ballot in the unsigned inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope addressed to the chapter; and deadline date for receipt of the voted ballot at the chapter office;

- (3). A small envelope (inner envelope) in which to place the voted ballot; and,

- (4). A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.

- c). At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.
- d). The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
- e). All inner envelopes shall be placed in a separate receptacle.
- f). The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.

b. By mail

When the voting is conducted by mail, the procedure shall be as follows:

Members who are off-track or on a dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote. Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail.

The following procedures and guidelines have been developed for this situation:

- 1). A list of current official members shall be prepared, which includes the following: name, school and home address. A determination shall be made prior to the election whether the ballots shall be sent to the school/worksite or to the member.
- 2). The mailing list shall exactly correspond to the current official roll of voting members.
- 3). Each voter shall be provided with:
 - a). A ballot;
 - b). Instructions on:
 - (1). Folding and placing of the ballot in the unsigned inner envelope;
 - (2). Placing of the unsigned inner envelope into the outer envelope;
 - (3). Signature and school on the outer envelope addressed to the chapter; and
 - (4). Deadline date for receipt of the voted ballot at the chapter office.
 - c). A small envelope (inner envelope) in which to place the voted ballot;
 - d). Outer return envelope, addressed to the chapter; and
 - e). Instructions on returning of the voted ballot, including the signature.
- 4). The ballot shall be date stamped when it is received in the chapter office and then put in a safe place until the votes are to be counted.
- 5). At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members. The name on the official list should be marked to show that the voter has returned a ballot.
- 6). The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
- 7). All inner envelopes shall be placed in a separate receptacle.
- 8). The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

I. Counting of Ballots

1. Upon receipt of ballots, tally sheets and signature sheets, the Elections Committee shall count the ballots in a secure area with only the Elections Committee members and observers present.
2. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
 - a. Blank ballot;
 - b. More ballots than signatures;
 - c. Ballot received after deadline;
 - d. Voter not a member;
 - e. Voter's intent unclear;
 - f. Votes cast for more than number allowed;
 - g. Vote cast on unofficial ballot;
 - h. Vote cast for ineligible candidate/candidate is not a member.
 - i. Voting envelopes without a signature; and
 - j. Ballots that are separated from Roster/Signup sheet.
3. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
4. The Elections Committee shall prepare the Final Report, recording the following information:
 - a. Total number of ballots cast.
 - b. The number of set aside ballots with an explanation for each category of ballot not counted.
 - c. The number needed to win or pass.
 - d. The number of votes received by each candidate or issue.
 - e. A notation whether the set aside votes would affect the outcome.
 - f. The Final Report shall not contain a school-by-school or site-by-site breakdown report.
 - g. Signature of each Elections Committee member present during the preparation of the report.
5. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
6. The President shall announce the results as prescribed by the timelines.
7. If the votes set aside would affect the outcome of the election, the President and the appropriate body shall decide:
 - a. to count the votes which have been set aside;
 - b. not to count the votes which have been set aside; or
 - c. if the election should be conducted again.

Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.
8. The ballots and voter sign-up sheets shall be retained for one year after the election.

J. Observers

1. Each candidate shall be allowed to have an observer at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
2. 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. The observer must maintain the confidentiality of the election process.

K. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.
3. The challenging party(ies) must notify the unit president of a challenge in writing within ten (10) days after the announcement of the results of the election. If the unit president is a candidate on the ballot, please see item number 5.

The notification must be on the official CTA Challenge Form. (See Appendix M of the CTA Elections Manual – may be accessed on MyCYA.)

The notification must:

- a. Specify which requirement has been violated.
 - b. Include evidence, insofar as possible.
 - c. List names and addresses of parties who can give evidence.
4. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation of the challenged and determine whether or not the challenge:
 - a. Issue a decision regarding the validity of the challenge.
 - b. Is supported by the appropriate documentation.
 - c. Requires more information. The information will be obtained via the most feasible method.
 - d. Identified violations that may have affected the outcome of the election.
 - e. Within the same ten (10) calendar day period, the unit's Elections Committee shall submit a written report including issues and recommendations to the chapter president and Executive Board of the unit for disposition.
 5. Any member of the Executive Board who was a candidate in the race that is challenged, or whose immediate family member is such a candidate, shall abstain from voting on the report. If in the case where the majority of the Executive Board is unable to act on the challenge, the decision shall move to the next highest decision – making body according to the unit's governance documents.
 6. The Executive Board shall act on the report no later than ten (10) calendar days following receipt of the written report of the elections committee in accordance with the CTA Challenge Procedures as described in Appendix O – CTA Challenge Procedures – Local Elections of CTA Election Manual. The Executive Board must issue its decisions in writing to the challenger(s) and the Elections Committee Chair.
 7. If the Executive Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described below within by writing to the CTA President. The appeal shall be the original challenge filed at the unit level, and additionally shall include the local Elections Committee report and the Executive Board's decision.

L. 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 the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation.
3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60) or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional seven (7) school days in which to gather and submit the necessary signatures. The chapter President shall have three (3) school days in which to verify the membership of the additional signers.
8. The chapter president shall cause a ballot to be furnished to the members no less than fifteen (15) ~~school~~ calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

M. Referendum Procedures

1. Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the membership upon two-thirds vote of the Representative Council at any valid meeting.
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 school days after action by the Representative Council, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

N. Recall Procedures

1. The active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's active members.
2. An Active member(s) desiring to recall a unit officer or other elected office holder must file a copy of a petition thereto by the chapter's Active members.
3. The petition must include the following information:

- a. Name of individual who is the subject of the recall;
 - b. Office of Individual;
 - c. Date of petition;
 - d. Name(s) of person(s) filing petition;
 - e. Notation that “Each signature must be in ink”; and
 - f. Space must be provided for the printed name, signature, work site and date of signing for each name on the petition.
4. Within fourteen (14) working days after receipt, the Chairperson of the Elections Committee shall determine whether the petition contains the necessary information.
 - a. If the petition does not contain the necessary information, the Chairperson of the Elections Committee shall so notify the petitioner(s). (See number two (2) above.)
 - b. If the petition contains the necessary information, the Chairperson of the Elections Committee shall inform the petitioner(s) of the rules, procedures, and timeline (beginning date and deadline for gathering of signatures), and the need for protection of due process rights of the parties.
 - c. The Chairperson of the Elections Committee shall send written notification to the unit officer whose recall is being proposed and shall notify the other officers of the unit. A copy of the petition shall be enclosed.
 5. Monies from a unit’s treasury or indirect contributions in the form of use of a unit’s assets, facilities, staff, equipment, mailings, goodwill and credit, or in-kind services must not be used in the recall process.
 6. No unit may state or indicate its preference in the unit’s newspaper, newsletter, or communications to its members.
 7. The timeline for gathering of signatures will commence the day that the notice of intent is registered.
 8. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least twenty-five (25%) of the active members of the chapter. If the person subject to the recall was not elected by the general membership, then the signature requirement is twenty-five percent (25%) of the members of the electing constituency.
 9. The signed petition(s) must be received by the Chairperson of the Elections Committee by the specified deadline date.
 10. The Elections Committee shall have ten (10) calendar days after receipt of the petition to verify signatures.
 11. If there are insufficient signatures, the Chairperson of the Elections Committee shall notify the petition circulator(s) by mail within five (5) calendar days of verifying the signatures that the petition failed for a lack of signatures.
 12. Immediately upon verification of the signatures, the Chairperson of the Elections Committee shall notify the president/designee of the fact that a recall has been initiated.
 13. The chapter president, or chapter vice president if the chapter president is the person being recalled, shall cause a ballot to be furnished to Active members no less than twenty (20) calendar days after verification of signatures. The period that school is officially not in session shall not be included in this count.
 14. The election must be concluded within fifteen (15) calendar days of distribution of the ballots.
 15. The election must be conducted with provisions for a secret ballot and voter sign-up sheets.
 16. The election shall be certified in accordance to the unit’s bylaws.

17. The Chairperson of the Elections Committee will deliver the report to the president of the unit who will immediately notify all interested parties of the election results. The election results shall be posted at each work site as soon as possible following the election.