

BYLAWS

Los Banos Teachers Association/CTA/NEA

ARTICLE I - NAME AND LOCATION

The name of this Association shall be the Los Banos Teachers Association/CTA/NEA in Merced County.

ARTICLE II - PURPOSE

The primary purposes of this Association shall be:

- A. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for teachers;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To provide a means of representation for its ethnic-minority members;
- E. To promote professional attitudes and ethical conduct among members;
- F. To encourage cooperation and communication between the profession and the community; and
- G. To foster good fellowship among members.

ARTICLE III - AFFILIATION WITH THE UNITED TEACHING PROFESSION (UTP)

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

ARTICLE 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 education work, is an employee of the Los Banos Unified School District, and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit.
- B. Membership may be granted upon initiation of payroll deduction or upon payment of annual United Teaching Profession (UTP) dues appropriated to the class of membership.
- C. The right to vote and to hold elective office or appointive position within the Association 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 the Association.
- E. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- 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, marital status, national origin, or sexual orientation.
- H. No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure.
- I. The membership year shall be that period of time from September 1 of any give calendar year through August 31 of the following calendar year, inclusive.

ARTICLE V - DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, and representation fee for nonmembers represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for nonmembers, shall be established by action of the Representative Council at the last regular meeting of the school year.
- C. Representation fees shall be apportioned on the same percentage basis as the full United Education Profession dues.
- D. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. 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.

ARTICLE VI - POLICY-MAKING BODY

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of members of the Association, derives its power from and shall be responsible to the membership.
- B. The Representative Council shall be composed of the following Active members:
 - 1. Executive Board, ex-officio;
 - 2. Faculty Representatives elected on the basis of one-person one-vote;
 - 3. The following additional representatives:
 - a. Elected Service Center Council Representative(s), when not already serving on the Representative Council in another capacity;
 - b. CTA State Council Representatives, if any;
 - c. Immediate past President of the Los Banos Teachers Association;
and
 - d. Any members of the Association who hold CTA/NEA offices or

committee appointments, ex-officio nonvoting.

C. The Representative Council Shall:

1. Establish Association policies and objectives;
2. Adopt the annual budget for the Association;
3. Approve the establishment or discontinuance of committees recommended by the Executive Board; and
4. Establish the dues of the Association;

D. The Representative Council shall hold a minimum of 10 monthly meetings.

E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the membership.

F. Special meeting 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 Representative Council shall adopt procedures to notify representatives of meeting dates, places, and times.

I. A quorum for meetings of the Association shall be twenty-five percent (25%) of the Active membership. A quorum for all meetings of the Representative Council shall be twenty-five percent (25%) of all voting members of the Representative Council.

J. Members of the Representative Council shall serve a term of one (1) year. (Except for those members whose term of office is set by another body or in another section of these bylaws.)

ARTICLE VII - FACULTY REPRESENTATIVES

A. Faculty representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.

- B. Each faculty shall be entitled to at least one representative and shall have one representative for each 15 Association members on the faculty or major portion thereof.
- C. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- D. Faculty Representatives shall:
1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty unit;
 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the Active members;
 3. Represent the views and input of the Active membership of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
 4. Perform such additional duties as prescribed by the Executive Board.
- E. In the event of a vacancy occurring of a Faculty Representative, a special election shall be held to elect a successor to fill the unexpired term.
- F. Each faculty shall be entitled to no less than one (1) alternate but no more than the number determined by dividing the total number of faculty representatives at a site by two (2) and rounding to the next highest whole number. Alternates are to be elected to serve in the absence of the faculty representatives(s) from their own faculty. Alternates can attend any and all meetings of the Representative Council but only count for a quorum and only vote when the faculty representative(s) from their faculty are absent and the President is notified prior to the opening of the meeting of the Representative Council. The President shall inform the Representative Council of the status of the alternates at the beginning of each meeting.

ARTICLE VIII - OFFICERS

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer.
- B. These officers shall be and remain currently paid-up members of the UTP as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the active membership of the Association. Such election shall be by open nominations and secret ballot.
- D. Officers shall be elected for a term of two (2) years, commencing on July 1 of any calendar year.
- E. President and Vice-President shall be elected in even numbered calendar years; Secretary and Treasurer shall be elected in odd numbered calendar years.
- F. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. In the event of a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
- G. The President shall be the chief officer of the Association and its policy leader. The President shall:
 - 1. Preside at all meetings of the Association, the Representative Council and Executive Board;
 - 2. Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board;
 - 3. Be the official spokesperson for the Association;
 - 4. Be familiar with the governance documents of the Association, CTA, and NEA;
 - 5. Appoint all chairpersons and members of committees, and of the bargaining team, with the approval of the Executive Board;
 - 6. Call meetings of the Association, the Representative Council and the Executive Board;
 - 7. Suggest policies, plans, and activities for the Association and be held

responsible for the progress and work of the Association;

8. Attend meetings of the Service Center Council of which the Association is a part; and
9. Attend other CTA/NEA meetings as directed by the Representative Council.

H. The 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. Maintain an accurate roster of association membership;
4. Be responsible for the formation and distribution of the Association's calendar of activities;
5. Serve as coordinator of committee activities at the direction of the President.

I. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board;
2. Be responsible for the distribution of minutes to members of the Representative Council and Executive Board and to the membership when appropriate; and
3. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

J. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President;
3. Prepare a financial report for each regular meeting of the Representative Council and Executive Board;
4. Be responsible for an annual audit of the books of the Association and distribute a summary of this audit to the membership; and
5. Submit membership and financial reports to LBTA, CTA, NEA, and other agencies as required by law and affiliation requirements.

ARTICLE IX - EXECUTIVE BOARD

- A. The Executive Board shall be composed of the officers, and the elected delegates to the UniServ Council.
- B. All members of the Executive Board shall be and remain members of the UTP as a condition for nomination to and service in this position.
- C. At-large members of the Executive Board shall be elected with open nominations and by secret ballot.
- D. At-large members of the Executive Board shall be elected for a term of one year, commencing on July 1 of any calendar year.
- E. Vacancies in the position of at-large members of the Executive Board 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, a special election to fill the vacancy shall be held within thirty days.
- F. The Executive Board shall meet before each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- G. The duty of the Executive Board shall be to:
 - 1. Coordinate the activities of the Association
 - 2. Act for the Representative Council when school is not in session.
 - 3. Direct the bargaining activities and grievances processing of the Association, subject to policies set by the Rep. Council.
 - 4. Approve appointment and removal of Bargaining Team members by a 2/3 majority vote.
 - 5. Recommend a budget for the Association to the Rep. Council.
 - 6. Approve Committee appointments.
 - 7. Adopt the Standing Rules for the Association.
 - 8. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions imposed by the Rep. Council.
- H. A quorum for all meetings of the Executive Board shall consist of five members of the Executive Board.

ARTICLE X - BARGAINING TEAM

- A. The bargaining team and such alternates as the Executive Board deems necessary shall be nominated by the President and approved by the Executive Board.
- B. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- C. The Executive Board, by a two thirds (2/3) majority, may remove a member of the bargaining team and appoint a replacement from the list of alternates.
- D. The duties of the bargaining team are to represent and to bargain for the bargaining unit.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Board subject to policies established by the membership.
- F. Members in the bargaining unit shall be surveyed to determine contents of the proposed contract demand(s), and the contract proposal for the unit shall be approved by Active members in that unit.
- G. The bargaining team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the bargaining team to the general membership.
- I. Agreements 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 in the appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that membership

ARTICLE XI - GRIEVANCE PROCESSING

- A. The Executive Board shall adopt 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. Training for handling grievances; and
3. Evaluation of the Association's grievance policies and procedures.

ARTICLE XII - NOMINATIONS AND ELECTIONS

- A. There shall be an elections committee appointed by the President.
 1. The duties of the Elections Committee shall be:
 - a. to ensure that all chapter/CTA/NEA election codes and time lines are followed
 - b. to establish election time lines
 - c. to develop and carry out time lines and procedures
 - d. to prepare and distribute election materials
 - e. to count the ballots and certify the results
 - f. to handle initial challenges.
- B. Elections shall be conducted with:
 1. Open nomination procedure
 2. Secret ballot
 3. All member vote
 4. Record of voters receiving or casting ballots
 5. Majority vote, unless otherwise specified.
- C. Faculty Representatives shall be elected by open nominations and secret ballot by and from the active members who are assigned to that faculty.
- D. The Executive Board shall adopt Standing Rules setting forth the procedures for conducting elections.
- E. All representatives to CTA State Council and the NEA Representative Assembly to which the Association is entitled shall be elected by and from the active membership of the Association.
- F. CTA State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter has been notified to do so by the CTA Elections Committee.
- G. NEA State and Local Delegates elections shall be conducted in accordance with NEA/CTA guidelines.

ARTICLE XIII- COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the Representative Council.
- B. Committees shall be appointed by the President and approved by the Executive Board.
- C. Each committee shall submit periodic reports to the Representative Council and the Executive Board.
- D. There shall be the following Standing Committees:
 - 1. Grievance Committee (one member per site);
 - 2. Conference Committee (one member per site);
 - 3. Bargaining Team (6 members);
 - 4. Scholarship Committee (3 members);
 - 5. Catastrophic Leave Committee (3 members); and
 - 6. Joint PAR Panel.
- E. All committees shall remain intact until new committees are approved by the Executive Board, with the exception of the Joint PAR Panel whose terms are stipulated in the Master Agreement.
- F. Faculty members must be currently paid up members of the Association in order to be eligible to serve on the Committees.

ARTICLE XIV - MEETINGS OF THE GENERAL MEMBERSHIP

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

D. A quorum for meetings of the Association shall be twenty-five percent (25%) of the Active membership.

ARTICLE XV - PARLIAMENTARY AUTHORITY

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

ARTICLE XVI - AMENDMENTS

A. These Bylaws may be amended by a two-thirds (2/3) vote of the members. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members prior to a general membership meeting. Voting shall take place on any amendment as set forth in the Nomination and Election Standing Rules.

rev. 9/17/92, 9/21/95, 6/6/01, 6/01/07, 12/16/10

LOS BANOS TEACHERS ASSOCIATION

STANDING RULES

I. NOMINATIONS AND ELECTIONS

A. Elections Committee

1. There shall be an Elections Committee.
2. The Elections Committee and the Chairperson shall be appointed by the President and approved by the Executive Board.
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 manner.
5. A member shall abstain from participation in Election Committee activities during the period in which s/he or her/his 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). Only reasonable qualifications for office may be required.
2. Every member shall be assured of voting by secret ballot.
3. There shall be a 15 day period between notice of election and the actual voting.
4. There shall be an all member vote. A member who is off-track shall be sent election information by mail to his/her last known residence.
5. The chapter shall provide a means for all members to vote, 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. A member must 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.

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 candidates receiving the two highest number of votes.

C. Announcement

1. The announcement of elections shall include the offices and length of terms, as well as the elections time line.
2. The announcement shall be publicized in a manner so that every member has an opportunity to file a declaration of candidacy.

D. Time line

1. Schools on alternative calendars shall be considered when setting election time lines.
2. The time line for the election shall include dates for:
 - a) Time, date, and place where declarations of candidacy are to be received. Literature shall include information that date is receipt date and not postmark date.
 - b) Date for acknowledgment of declarations from candidates.
 - c) Date for preparations of ballots.
 - d) Date on which ballots will be distributed.
 - e) Date(s) when voting will take place.
 - f) Deadline date, time and place for return of ballots, (date received, not postmark date).
 - g) Date, time and place where ballots will be counted.
 - h) Date(s) that announcement of results will be made to leadership, candidates and members.
 - i) Dates and time lines for run-off election, if necessary.
 - j) Deadline for filing of challenges (date received, not postmark date).

E. Finances

1. Chapter moneies received by way of dues, assessment or similar levy must not be applied to promote a 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 may not state or indicate its preference for a candidate in the unit's publications.
4. 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.

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 time line, procedures, and guidelines.
3. Each candidate shall have the right of access to a list containing the name and address of school sites and 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 using the CTA alphabet order. The names 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.
2. The ballot shall state the name of the office, 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.
2. Voting shall be one or a combination of the following methods:
 - a) At School Site/Specified Voting Site

(1) Voting At School Site(s)/Specified Voting Site

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

i) Voter Roster - List of eligible voters.

ii) Voter Sign-up sheet - List of eligible voters which 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.

(d) Active 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.

(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 address.

(b) The voter shall be provided with the following:

i) A ballot;

ii) Instructions on folding of the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope; and deadline date for receipt of the voted ballot to the election chair.

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

iv) A larger envelope (outer envelope) addressed to the Elections Chairperson, 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.

(g) Active 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.

b) By mail

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

Active 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 Active members shall be prepared, which includes the following: name, school and home

address.

- (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:
 - i) Folding and placing of the ballot in the unsigned inner envelope;
 - ii) Placing of the unsigned inner envelope into the outer envelope;
 - iii) Signature and school on the outer envelope addressed to the chapter; and,
 - iv) Deadline date for receipt of the voted ballot to the chapter office.
 - (c) Inner envelope;
 - (d) Outer return envelope, addressed to the chapter.
- (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 envelopes shall be checked against the official list of eligible voting members.
- (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. Vote Requirement

All vote requirements shall be established in accordance with CTA guidelines. Unless otherwise specified, all elections shall be decided by

majority vote. Write-in votes are valid and must be counted.

1. A majority vote means more than fifty percent (50%) of the legal votes cast.
2. A plurality vote means the largest number of votes to be given any candidate or issue.
3. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast.
4. For unit officers, the election will be by majority.
5. For State Council:
 - a) If a unit is a single electoral district or a multiple unit electoral district, the election for State Council Representative will be by majority vote.
 - b) If a unit is within a multiple unit electoral district, results must be sent to the Service Center Council Elections Committee to determine if a candidate has received a majority vote.
6. If a candidate does not receive a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. When there are only two candidates for an office, the candidate receiving the higher number of legal votes cast shall be declared elected. There shall be no provisions for write-in candidates in run-off elections.
7. For NEA Local Delegates, the election will be by majority or plurality vote, as defined in the unit's governance documents. Results must be sent to the CTA Governance Support Department and to the Service Center Council.
8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. An affiliate utilizing this provision must have adopted a governing provision of election policy allowing such a practice. This election practice will not generate successor delegates

unless the nomination process requires candidates for both regular and successor delegate positions.

9. For NEA State Delegates, the election will be by majority or plurality vote as defined in the unit's governance documents. Successor delegates (alternates) are ranked in the order of votes received. Results must be sent to the Service Center Council, which will forward the results to CTA.
10. For additional CTA/NEA election guidelines refer to the official CTA Election Manual.

J. Counting of Ballots

1. Upon receipt of ballots, tally sheets and signatures 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 submitted 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.
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) Signature of each Election 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 time lines.
 7. If the votes set aside would affect the outcome of the election, the President and the Representative Council 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.
 8. Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.
 9. The ballots and voter sign-up sheets shall be retained for one year after the election.

K. Observers

1. Each candidate shall be allowed to have an observer at the vote counting site and must give the name of the observer to the Elections Committee prior to counting.
2. An observer must not interfere with the counting and must stay in the counting area until the President or designee has been notified of the results.

L. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. The challenging party(ies) must notify the unit president of a challenge in writing within ten (10) calendar days after the announcement of the results of the election.

The notification must:

- a) Specify which requirement has been violated,
 - b) Include supporting information,
 - c) List names of parties who can provide information.
3. 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 and determine whether:
 - a) The challenge alleges a violation of a chapter election requirement;
 - b) The challenge is supported by appropriate documentation;
 - c) More information is needed; in which case, the information will be obtained via the most feasible method.
 - d) The alleged violation may have affected the outcome of the election.
4. The Elections Committee shall submit a report including issues and recommendations to the Chapter President and the Executive Board within twenty school days.
5. The Representative Council shall make a decision on the resolution of the challenge.
6. The challenging party and all candidates in that race shall be notified of the decision of the Representative Council.
7. If the challenging party is not satisfied with the decision of the Representative Council, or the Representative Council fails to act, s/he may appeal the decision in writing to the CTA President within ten (10) calendar days of receipt of the decision.
8. The challenge procedure of election of State Council Representatives and Alternates, and State and Local Delegates to the NEA Representative Assembly shall be followed as outlined in the CTA Elections Manual.

M. 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. An active member shall file a notice of intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the 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 15 school days shall be permitted to obtain the signatures of at least 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 petitions(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 will be notified within three (3) calendar days, that the petition failed for a lack of signatures.
8. The chapter president shall cause a ballot to be furnished to the members no less than fifteen (15) school 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.

N. 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 (i.e., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt to the required number of votes, unless otherwise specified.

O. Recall Procedures

1. The active membership shall have the authority to recall from office any person or persons holding such by virtue of having been elected thereto by the chapter's active members.
2. A member shall file a notice of the intent to circulate a petition to recall 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 recall and responsible for its circulation. If the proposed recall is for the person holding the office of president, the request shall be made to the next ranking officer.
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 time line for gathering signatures will commence the day that the notice of intent is registered. A maximum of 60 school days shall be permitted to obtain the signatures of at least 25 percent 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 10 school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the chapter president shall notify the

petition circulator(s) by mail that the petition failed for a lack of signatures.

8. The chapter president shall cause a ballot to be furnished to the Active members no less than 20 school days after verification of membership. 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. Any necessary supplementary rules governing recall that are not in conflict with the forgoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.
12. A 2/3s vote of the total active membership shall be required for recall.

9/17/95, 6/01/07, 12/16/10