

BYLAWS
Portola Valley Teachers Association

1. Name and Location
 - 1.1. The name of this Association shall be the Portola Valley Teachers Association, located in San Mateo County, California.
2. Purposes
 - 2.1. This Association is organized for the following purposes:
 - 2.1.1. Represent its members in their relations with their employer, and seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
 - 2.1.2. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
 - 2.1.3. To provide an opportunity for continuous study and action on problems of the profession;
 - 2.1.4. To promote cooperation and communication between education support professionals and certificated educators;;
 - 2.1.5. To provide a means of representation for its ethnic-minority members;
 - 2.1.6. Protect its members' rights in the employment arena, including but not limited to rights granted by law and contractual rights;
 - 2.1.7. Coordinate goals, policies and activities with the California Teachers Association (CTA) and the National Education Association (NEA);
 - 2.1.8. Promote professional attitudes and ethical conduct among members;
 - 2.1.9. Encourage cooperation and communication between the profession and the community;
 - 2.1.10. To foster good fellowship among members.
3. Affiliations
 - 3.1. The Portola Valley Teachers Association shall be a chartered chapter of the CTA.
 - 3.2. The Portola Valley Teachers Association shall be an affiliated local association of the NEA.
4. Membership
 - 4.1. There shall be a primary category of membership in the Association: Active.
 - 4.2. Active membership shall be open to any certificated person who is engaged in or is on limited leave of absence from professional education work, is an employee of the Portola Valley School District, and whose primary assignment is such as not to hold evaluative or supervisory responsibility over other employees to such as extent as to not be represented in the negotiations process by the bargaining unit.
 - 4.3. Membership shall be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
 - 4.4. The right to vote and to hold elective or appointive office within the Association

- shall be limited to active members of the Association.
- 4.5. Members shall be eligible to vote in all elections, hold elective or appointive office, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
 - 4.6. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
 - 4.7. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
 - 4.8. Active members shall adhere to The Code of Ethics of the Education Profession.
 - 4.9. The rights and privileges of membership shall not be abridged in any way because of age, gender, race, color, ethnic group, marital status, national origin or sexual orientation.
 - 4.10. No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
 - 4.11. A member not in good standing may be expelled only after the Executive Committee has investigated written charges of "conduct prejudicial to the good of the Portola Valley Teachers Association." The member charged shall be afforded full opportunity for defense. A majority of the Executive Committee shall report its findings and recommendations to the membership. Punishment shall not exceed expulsion and shall be imposed by a two-thirds vote of the members present at a regular meeting.
 - 4.12. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association
 - 4.13. 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.
5. Dues, Fees and Assessments
- 5.1. The basic annual dues level for members, and representation fee for non-members 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.
 - 5.2. The Association's portion of the basic annual dues, and the representation fee for non-members represented in the bargaining unit, shall be established by action of the membership at the last regular meeting of the school year.
 - 5.3. The Association shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full Association/CTA/NEA dues.
 - 5.4. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership.

If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

6. Policy Making Body

- 6.1. The policy making body of this Association shall consist of the Active members of the Association..
- 6.2. The Association shall meet a minimum of four times a year, the number, place and time of such meetings to be decided by the Executive Committee.
- 6.3. Special meetings of the Association may be called by the President or by petition containing the signatures of twenty percent (20%) of the Active membership.
- 6.4. Special meetings of the Association shall be called for a specific purpose, and no business other than that for which the meeting is called may be transacted.
- 6.5. Notices and agendas for all meetings shall be posted at least two days prior to the date of the meeting.
- 6.6. For emergency meetings during crisis situations, the Executive Committee shall adopt procedures to notify members of meeting dates, places and times.
- 6.7. A quorum for all meetings of the Association shall consist of a simple majority of the members.
- 6.8. The budget of the Association shall be adopted by the membership on or before the first regular meeting of the school year.
- 6.9. Grievance procedures shall be approved by the Active membership.

7. Officers

- 7.1. The officers of the Association shall be a President, a Vice President, a Secretary, a Membership Coordinator, and a Treasurer.
- 7.2. These officers shall be and remain currently paid up chapter, state and national members as a condition for nomination to and service in their respective positions during their terms of office.
- 7.3. Officers shall be elected for terms of two years, commencing on June 15, 2018, and on June 15 biennially thereafter.
- 7.4. Officers shall be elected with open nominations and by secret ballot by and from the membership. All elections shall follow the procedures described in Article 11 of the Bylaws.
- 7.5. 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 a vacancy occurs in the office of President, the Vice President shall assume the office. In the event a vacancy occurs in the other offices, a special meeting of the Association shall be called to elect a successor.
- 7.6. The President shall be the chief executive officer of the Association and its policy leader.
- 7.7. The President shall:
 - 7.7.1. Preside at all meetings of the Association and the Executive Committee;
 - 7.7.2. Prepare the agenda for the meetings of the Association and the Executive

- Committee;
- 7.7.3. Be the official spokesperson for the Association;
- 7.7.4. Be familiar with the governance documents of the Association, CTA, and NEA;
- 7.7.5. Appoint all chairpersons and members of committees with the approval of the Executive Committee at the beginning of each school year;
- 7.7.6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Committee at the beginning of each school year;
- 7.7.7. Call meetings of the Association and the Executive Committee;
- 7.7.8. Propose the procedures for grievance processing for ratification by the Executive Board and the Active membership of the Association;
- 7.7.9. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
- 7.7.10. Attend meetings of the Service Center Council of which the Association is a part;
- 7.7.11. Attend other CTA/NEA meetings as required;
- 7.7.12. Prepare a proposed budget for each fiscal year.
- 7.8. The Vice President shall:
 - 7.8.1. Serve as assistant to the President in all duties of the President;
 - 7.8.2. Assume the duties of the President in the absence of the President;
 - 7.8.3. Be responsible for the formation and distribution of the Association's calendar of activities;
 - 7.8.4. Serve as coordinator of committee activities at the direction of the President.
- 7.9. The Secretary shall:
 - 7.9.1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and of the Executive Committee;
 - 7.9.2. Distribute the minutes, notices of meetings, and agendas for all meetings to the members;
 - 7.9.3. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
- 7.10. The Membership Coordinator shall:
 - 7.10.1. Maintain an accurate roster of the membership of the Association;
 - 7.10.2. Submit membership reports to the CTA, NEA and other agencies as required by law.
- 7.11. The Treasurer shall:
 - 7.11.1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
 - 7.11.2. Pay out funds at the direction of the President;
 - 7.11.3. Provide written reports on the financial status of the Association at each Association meeting and at meetings of the Executive Committee;
 - 7.11.4. Be responsible for an annual audit of the books of the Association and

- distribute a summary of this audit to the membership;
- 7.11.5. Submit financial reports to the CTA, NEA, and other agencies as required by law.
- 7.11.6. The Membership Engagement Committee Chairperson shall:
 - 7.11.6.1. attend all general membership meetings;
 - 7.11.6.2. serve as a member of the Executive Committee;
 - 7.11.6.3. report to the Executive Committee, when requested to do so by the President or the Committee;
 - 7.11.6.4. meet with the President, when requested to do so by the President;
 - 7.11.6.5. maintain the PVTA Today website, in consultation and coordination with the President and Vice President;
 - 7.11.6.6. develop and implement outreach programs designed to engage members more fully, with the advice and consent of the President and/or Executive Committee;
 - 7.11.6.7. develop and implement a plan to increase attendance at local meetings, with the advice and consent of the President and/or Executive Committee;
 - 7.11.6.8. recommend appointees to the Membership Engagement Committee for the approval by the President;
 - 7.11.6.9. coordinate the general activities of the Membership Engagement Committee;
 - 7.11.6.10. communicate regularly with the members of the Membership Engagement Committee;
 - 7.11.6.11. report periodically to the general membership on the progress of activities related to organizing and communications;
 - 7.11.6.12. attend CTA organizing conferences.
- 8. Executive Committee
 - 8.1. The Executive Committee shall be composed of the elected officers of the Association.
 - 8.2. All members of the Executive Committee shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
 - 8.3. The Executive Committee shall meet prior to each meeting of the Association and at other such times as the President may deem necessary or upon written petition of a majority of the members of the Executive Committee, to conduct the business of the Association between meetings of the Active members of the Association.
 - 8.4. The Executive Committee shall:
 - 8.4.1. Coordinate the activities of the Association;
 - 8.4.2. Direct the bargaining activities of the Association, subject to the policies established by the Active membership;
 - 8.4.3. Approve by majority vote all appointment and removal of committee

- members, including chairpersons;
- 8.4.4. Approve by majority vote the appointment of and by two-thirds ($\frac{2}{3}$) vote the removal of Bargaining Team members;
- 8.4.5. Adopt grievance procedures;
- 8.4.6. Direct the grievance activities of the Association;
- 8.4.7. Adopt the Standing Rules for the Association;
- 8.5. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Active members of the Association.
- 8.6. A quorum for all meetings of the Executive Committee shall consist of a simple majority of the elected members of that body.
- 9. Bargaining Team
 - 9.1. The Bargaining Team shall be elected/reelected annually by a vote of the Association. Elections shall follow the procedures set forth in Article 11 of the PVTA Bylaws and the CTA Elections Manual.
 - 9.2. Nominations for election to the Bargaining Team shall be submitted to the Elections Committee. Any Member of the Association may submit a nomination.
 - 9.3. The Elections Committee shall complete preparations for and conduct Bargaining Team elections, in accordance with the procedures set forth in Article 11, Section 11.511.6.
 - 9.4. Vacancies created by resignation or inability to serve shall be filled by the Executive Committee from the list of alternates.
 - 9.5. The Executive Committee, by two-thirds ($\frac{2}{3}$) majority, may remove a member of the Bargaining Team.
 - 9.6. The Bargaining Team is empowered to reach tentative agreements with the District subject to ratification by the Active membership.
 - 9.7. The duties of the Bargaining Team shall be to represent and bargain for all bargaining unit members.
 - 9.8. Members in each appropriate bargaining unit shall be surveyed to determine the contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by the Active members in that unit.
 - 9.9. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Committee subject to policies established by the membership. The Executive Committee is distinct from the Bargaining Team.
 - 9.10. The Bargaining Team shall report its activities to the Executive Committee in such form and with such frequency as the Executive Board may require.
 - 9.11. The Executive Committee shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the Active members of the Association.
 - 9.12. Agreements reached between the Bargaining Team and the District or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the

appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by the active membership.

10. Grievance Processing Procedures
 - 10.1. The Executive Board shall adopt, with the approval of the Active members of the Association, the procedures for grievance processing.
 - 10.2. These procedures shall include, but not be limited to, the following:
 - 10.2.1. Provide for representation to assist all members of the bargaining unit(s) in processing grievances;
 - 10.2.2. Training for handling grievances; and
 - 10.2.3. Evaluation of the Association's grievance policies and procedures.
11. Nominations and Election
 - 11.1. The chapter shall follow and members are entitled to the rights contained in the CTA Requirements for Chapter Election Procedures published annually with the CTA Elections Manual.
 - 11.2. The chapter president must provide all Active members an opportunity to vote in all elections.
 - 11.3. 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 less than the number of positions to be filled and the affiliate has adopted a governing provision or election policy allowing such a practice.)
 - 11.4. There shall be an appointed Elections Committee. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year.
 - 11.5. The duties of the Elections Committee shall be to:
 - 11.5.1. Ensure that all Association/CTA/NEA election codes and timelines are followed
 - 11.5.2. Establish election timelines;
 - 11.5.3. Develop and carry out timelines and procedures;
 - 11.5.4. Prepare ballots for election of officers and such other elections as may be necessary;
 - 11.5.5. Count the ballots and certify the results; and
 - 11.5.6. Handle initial challenges.
 - 11.6. Elections shall be conducted with:
 - 11.6.1. Open nomination procedure;
 - 11.6.2. Secret ballot;
 - 11.6.3. All Active member vote;
 - 11.6.4. Record of voters receiving or casting ballots; and
 - 11.6.5. Majority vote, unless otherwise specified.
 - 11.7. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or service center council has been notified to do so by the CTA Elections Committee.
 - 11.8. NEA State Delegate elections shall be conducted in accordance with CTA/NEA

- rules.
- 11.9. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.
- 11.10. 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 less than the number of positions to be filled and the affiliate has adopted a governing provision or election policy allowing such a practice.)
12. Committees
- 12.1. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Committee, subject to approval by the general Active membership.
- 12.2. Each committee shall submit periodic reports to the Executive Committee and the general Active membership.
13. Parliamentary Procedures
- 13.1. Robert's Rules of Order, Newly Revised, latest edition, shall be followed at all meetings of the Association and of the Executive Committee.
14. Amendments
- 14.1. These bylaws may be amended by a majority vote of the members present at any regular or special meeting of the Association, provided that notice in writing of a proposed bylaw amendment shall have been submitted to the Secretary and made available to all Association members at the meeting preceding the one at which it is to be voted upon.

STANDING RULES NOMINATIONS AND ELECTIONS

1. Elections Committee
- 1.1. There shall be an Elections Committee.
- 1.2. The Elections Committee and Chairperson shall be appointed by the president and approved by the appropriate governance body to which it is responsible at the beginning of each school year.
- 1.3. The 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.
- 1.4. The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.
- 1.5. Any Association member who is either a candidate on the ballot or whose immediate family member is a candidate shall abstain from all election committee activities on that particular ballot
2. Election Requirements
- 2.1. 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

- qualification for office shall be Active membership in the chapter.
 - 2.2. Every Active member shall be assured of voting by secret ballot.
 - 2.3. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
 - 2.4. 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.
 - 2.5. 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.
 - 2.6. 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.
 - 2.7. If a roster of Active members is prepared for a school site ahead of time, initials of the member may be accepted
 - 2.8. Announcement
 - 2.9. The announcement of election shall include the offices, length of terms, and the election timeline.
 - 2.10. The announcement shall be publicized in a manner that ensures every member has an opportunity to file a declaration of candidacy.
- 3. Timeline
 - 3.1. Schools/Work sites on alternative calendars shall be considered when setting election timelines.
 - 3.2. The timeline for the election shall include dates for:
 - 3.3. 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;
 - 3.4. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;
 - 3.5. Place, time and date of receipt (date received, not postmarked date) for declaration of candidacy forms;
 - 3.6. Final date to acknowledge candidates' declaration of candidacy;
 - 3.7. Date for preparation of ballots;
 - 3.8. Date on which ballots will be distributed;
 - 3.9. Date by which to request a ballot;
 - 3.10. Date(s) when voting will take place;
 - 3.11. Deadline date (date received, not postmarked date), time and place for return of ballots;
 - 3.12. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots;
 - 3.13. Date that announcement of results will be made to leadership, candidates, members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots;
 - 3.14. Dates and timelines for run-off election, if necessary; and,

- 3.15. Deadline for filing of challenges (date received, not postmarked date)
4. Finances and Use of Unit Resources
 - 4.1. Chapter monies received through dues, assessment or similar levy shall not be used to promote any candidate.
 - 4.2. 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.
 - 4.3. A unit may not state or indicate its preference for a candidate in the unit's publications.
 - 4.4. 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.
5. Candidate's Rights
 - 5.1. Privileges extended to one candidate shall be extended to all candidates.
 - 5.2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
 - 5.3. Each candidate shall have the right to a list of the name and address of work sites and the number of Active members at each site for the purposes of campaigning.
 - 5.4. Ballot
 - 5.5. The names of the candidates shall be printed on the ballot in CTA alphabetical order. 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.
 - 5.6. 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.
 - 5.7. The ballot shall state the name of the office/position, the term, and the names of the candidates.
 - 5.8. The ballot shall include space for a write-in candidate, except in run-off elections.
6. Distribution of Ballots and Method of Voting
 - 6.1. Each member shall receive a ballot.
 - 6.2. Voting shall be by one or a combination of the following methods:
 - 6.3. At school/work site or other specified voting site
 - 6.4. If a Site Representative is a candidate, refer to Elections Committee, 1.5.
 - 6.5. Voting At School/Work Site(s)/Specified Voting Site
 - 6.6. Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
 - 6.7. Voter Roster – List of eligible voters.
 - 6.8. Voter Sign-up Sheet – List of eligible voters which includes a place for a signature.
 - 6.9. The marked ballot must be returned to a designated site representative or ballot box.

- 6.10. Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time.
- 6.11. 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.
- 6.12. Voting At School/Work Site(s)/Specified Voting Site Using Envelopes
- 6.13. When voting is conducted at school or specified sites using envelopes, the procedure shall be as follows:
 - 6.13.1. A list of current Active members shall be prepared, which includes each member's name and school/work address.
 - 6.13.2. The voter shall be provided with the following:
 - 6.13.3. A ballot;
 - 6.13.4. 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 at the chapter office;
 - 6.13.5. A small envelope (inner envelope) in which to place the voted ballot; and,
 - 6.13.6. A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.
 - 6.13.7. 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.
 - 6.13.8. The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - 6.13.9. All inner envelopes shall be placed in a separate receptacle.
 - 6.13.10. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.
 - 6.13.11. 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 by mail.
- 6.14. When the voting is conducted by mail, the procedure shall be as follows:
 - 6.14.1. 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.
 - 6.14.2. 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:
 - 6.14.3. A list of current Active members shall be prepared, which includes the following: name, school/work and home address.
 - 6.14.4. The mailing list shall exactly correspond to the current official roll of voting members.
 - 6.14.5. Each voter shall be provided with:
 - 6.14.6. A ballot;
 - 6.14.7. Instructions on:
 - 6.14.7.1. Folding and placing of the ballot in the unsigned inner envelope;
 - 6.14.7.2. Placing of the unsigned inner envelope into the outer envelope;

- 6.14.7.3. Signature and school on the outer envelope addressed to the chapter; and
 - 6.14.7.4. Deadline date for receipt of the voted ballot at the chapter office
 - 6.14.8. Inner envelope;
 - 6.14.9. Outer return envelope, addressed to the chapter
 - 6.14.10. 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.
 - 6.14.11. At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.
 - 6.14.12. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - 6.14.13. All inner envelopes shall be placed in a separate receptacle.
 - 6.14.14. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.
7. Vote Requirement
- 7.1. 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.
 - 7.2. A majority vote means more than half of the legal votes cast.
 - 7.3. A plurality vote means the largest number of votes to be given any candidate or issue.
 - 7.4. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
 - 7.5. For unit officers, the election will be by majority.
 - 7.6. For State Council: [See the Election Timelines, Procedures, and Guidelines in section IV-9.2 of the CTA Elections Manual.]
 - 7.7. 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.
 - 7.8. If the 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. (It is important that the chapter understands that this election is conducted by the Service Center.)
 - 7.9. 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.
 - 7.10. 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 Department and to the Service Center Council.
 - 7.11. 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 or 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.

- 7.12. 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.
- 7.13. For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.
8. Counting of Ballots
 - 8.1. Each candidate may designate one observer, who may be the candidate, to observe the vote counting process. The observer shall not interfere with the work of the Elections Committee and must remain in the room where the vote count is taking place.
 - 8.2. The Elections Committee shall count the ballots, which should be immediately following the deadline for receipt of voted ballots.
 - 8.3. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
 - 8.3.1. More ballots than signatures;
 - 8.3.2. Ballot(s) submitted after deadline;
 - 8.3.3. Member not listed on the voter roster;
 - 8.3.4. Voter's intent unclear;
 - 8.3.5. Votes cast for more than number allowed;
 - 8.3.6. Votes cast on unofficial ballot (probably reproduced); and,
 - 8.3.7. Voting envelopes without a signature.
 - 8.4. The Elections Committee should categorize each illegal ballot, make a determination on whether the vote(s) in that category should be counted separately, and make a note of the decision. The ballots should remain separate.
 - 8.5. If the illegal vote(s) would affect the outcome, the chairperson of the Elections Committee should report this to the unit president so that the appropriate governance body can decide how the ballots should be recorded.
 - 8.6. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. A listing of school(s) whose ballots were set aside and not counted shall be included with an explanation of illegality.
 - 8.7. The Chairperson of the Elections Committee will deliver the report of the election results to the president and interested parties. The election results shall be posted at each work site as soon as possible following the election.
 - 8.8. The ballots and voter sign-up sheets should be retained by the unit for one year

after the election.

9. Observers

9.1. Each candidate shall be allowed to have an observer(s) (put appropriate number if more than one) at the vote counting site and shall give the name(s) of the observer(s) to the Elections Committee before counting.

9.2. 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 and has notified each candidate of the results.

10. Challenge Procedure

10.1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.

10.2. 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.

10.3. The notification must:

10.4. Specify which unit bylaw(s) and/or standing rule(s) have been violated.

10.5. Attach evidence of the violations, insofar as possible.

10.6. List names and addresses of parties who can give evidence.

10.7. Within ten (10) calendar days after receipt of the challenge, the unit's Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether or not the challenge:

10.8. Is a violation of the unit's election requirement(s).

10.9. Is supported by the appropriate documentation.

10.10. Requires more information. The information will be obtained via the most feasible method.

10.11. Identified violation(s) that may have affected the outcome of the election.

10.12. The unit's Elections Committee shall submit a written report including issues and recommendations, within the same 10 day period, to the Chapter President and the Governance Board.

10.13. The Governance Board shall act on the report no later than 10 days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in Appendix O – CTA Challenge Procedures – Local Elections of CTA Elections Manual. The Governance Board must issue its findings in writing to the challenger.

10.14. Any member of the Governance Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. If in the case where the majority of the Governance 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.

10.15. If an individual wishes to appeal the decision of the unit's governance body, he/she may file an appeal in writing within ten (10) calendar days from the date of the decision of the governance body to the CTA President. The appeal shall be the original challenge filed at the unit level, and shall include:

10.15.1. Specifically which unit bylaw(s) and/or standing rule(s) have been

- violated.
 - 10.15.2. Attached evidence of the violations, insofar as possible.
 - 10.15.3. List names and address of parties who can give evidence.
 - 10.15.4. Written response of unit's governance body to original challenge.
 - 10.16. If the Governance Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described in 7 (a-c) above by writing to the CTA President.
 - 10.17. 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.
- 11. Initiative Procedures
 - 11.1. The Active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
 - 11.2. An Active 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.
 - 11.3. 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.
 - 11.4. 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.
 - 11.5. The circulators shall present to the chapter president the petition(s) containing original signatures.
 - 11.6. The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
 - 11.7. If there are insufficient signatures, the petition circulator will be notified within 3 calendar days that the petition failed for a lack of signatures.
 - 11.8. The chapter president shall cause a ballot to be furnished to the members no less than 15 calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
 - 11.9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
 - 11.10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.
- 12. Referendum Procedures
 - 12.1. Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the Active membership upon two-thirds vote of the Representative Council at any valid meeting.
 - 12.2. The referendum action shall prescribe the exact wording of the question to be

- posed to the Active membership on the ballot.
- 12.3. The chapter president shall cause a ballot to be furnished to the Active members no less than 15 calendar 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.
 - 12.4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
 - 12.5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.
13. Recall Procedures
14. 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.
 15. An Active 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.
 16. 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.
 17. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 60 calendar 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.
 18. The circulators shall present to the chapter president the petition(s) containing original signatures or the vice president if the chapter president is the person being recalled.
 19. The chapter president shall have 10 calendar days in which to verify the membership of the signers of the petition or the vice president if the chapter president is the person being recalled.
 20. If there are insufficient signatures, the petition circulator shall be notified by mail that the petition failed for a lack of signatures.
 21. The chapter president shall cause a ballot to be furnished to the Active members no less than 20 calendar days after verification of membership. The period that school is officially not in session shall not be included in this count.
 22. Regular election procedures (e.g., election of officers) shall be followed including voting times.
 23. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.

