

**Montebello Teachers Association**  
Election Standing Rules  
*Proposed February 2012*

**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 Executive Board to which it is responsible at the beginning of each school year.
3. The Committee should be composed of at least three (3) 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. 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.

**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 qualification 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) calendar 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 or on dues paying leave 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/sign-up sheet of Active members is prepared for a school site ahead of time, initials of the member may be accepted.

**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 ensures every member has an opportunity to file a declaration of candidacy.

**D. Timeline**

1. Schools/work sites 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 date postmarked) 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. Date by which to request a ballot;
- h. Date(s) when voting will take place;
- i. Deadline date (date received, not date postmarked), time and place for return of 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 that announcement of results shall 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;
- l. Dates and timelines for run-off election, if necessary; and
- m. Deadline for filing of challenges to initial election and run-off if held (date received, not date postmarked).

#### **E. Finances and Use of Unit Resources**

1. Chapter monies 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 may not 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 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.

## **G. Ballot**

1. 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.

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 Methods of Voting**

1. Each method of voting must be included in your standing rules in order for your bylaws and standing rules to be in compliance with CTA.
2. 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.
3. Voting shall be by one or a combination of the following methods:

### **a. At School/Work Site/Specified Voting Site**

#### **1) On Site Voting – 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 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. 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) On Site Voting - 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 address.

b) The voter shall be provided with the following:

(1) A ballot;

- (2) Instructions on:
  - (a) Folding and placing of the ballot in the unsigned inner envelope;
  - (b) Placing of the unsigned inner envelope into the outer envelope;
  - (c) Signature and school on the outer envelope addressed to the chapter; and
  - (d) 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.
- g) Refer to Section K for the "Counting of Ballots" procedure.

b. Voting By Mail

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/work and home address.
- 2) A determination shall be made prior to the election whether the ballots shall be sent to the school/work site or to the home of the member.
- 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; and
  - d) A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.
- 4) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.

- 5) 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.
- 7) All inner envelopes shall be placed in a separate container.
- 8) All inner envelopes shall be opened and the ballots removed from the envelopes, stacked, and then counted.
- 9) Refer to Section K for the "Counting of Ballots" procedure.

## I. Electronic Voting

Electronic voting is only permitted through the CTA Elections and Credentials Committee and CTA Board approval. See *Requirements for Chapter Elections Procedures*, Section VII.4., pages 4-5 for requirements.

## J. 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 half of the legal votes cast for each office/position on the ballot.
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: The election will be by majority vote and will follow the requirements set forth in the *CTA Elections Manual*. (See the *Election Timelines, Procedures, and Guidelines in Sections IV-9.2 and IV-9.3 of the CTA Elections Manual*.)
  - a. If a unit is a single electoral district, the election for State Council Representative will be counted and reported by the chapter elections committee.
  - b. If the unit is within a multiple unit electoral district, the chapter returns the chapter tally sheet, voted ballots, and voter roster/sign-up sheets to Service Center Council Elections Committee by deadline date. A minimum of two (2) signatures will be required to validate the tally report.
6. If no candidate receives 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. **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 with the determination to be made in advance of the announcement of the election by the local. Results must be sent to the CTA Governance Support Department.
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 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.
9. For NEA State Delegates, the election will be overseen by the Service Center Council. The local Elections Committee shall submit to the Service Center Council the official CTA/NEA state

delegate election Teller's Report, ballots, Tally Sheets and signature sheets/rosters. The Service Center Council will forward the results to CTA.

10. For additional CTA/NEA election guidelines refer to the official *CTA Elections Manual*.

#### **K. Counting of Ballots**

1. The Elections Committee shall verify signature sheets with ballots received, which should be completed immediately following the deadline for receipt of voted ballots.
2. Each office/position on the ballot shall be treated as a separate race. If a majority vote is required, it shall be calculated as more than half of the legal votes cast for each office/position on the ballot.
3. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
  - a. Member not listed on the voter roster;
  - b. Voter's intent unclear;
  - c. Votes cast for more than number allowed;
  - d. Votes cast on unofficial ballot (probably reproduced);
  - e. Candidate is not a member.
4. Ballots set aside and not counted are:
  - a. More ballots than signatures;
  - b. Ballot(s) received after deadline;
  - c. Voting envelopes without a signature; and
  - d. Ballots that are separated from roster/sign-up sheet.
5. After verification of signatures, ballots shall no longer be separated by site.
6. The Elections Committee should categorize each illegal ballot, make a determination of whether the vote(s) in that category should be counted separately, as listed in four (4) above, and make a note of the decision. The ballots should remain separate.
7. 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. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.
8. 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 no later than five (5) calendar days following the counting of the ballots.
9. The ballots and voter sign-up sheets should be retained by the unit for one (1) year after the election.

#### **L. Observers**

1. Each candidate shall be allowed to have one (1) observer, who may be the candidate, 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 and has notified each candidate of the results. The observer must maintain the confidentiality of the election process.

#### **M. Challenge Procedure**

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

2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to NEA RA follow procedures in the *CTA Elections Manual*.
3. The challenging party(ies) must notify the unit president and elections chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the election. If the unit president is a candidate on the ballot, please see item number five (5).

The notification must be on the official CTA Challenge Form. 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's Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether or not the challenge:

- a. Is a violation of the unit's election requirement(s).
  - b. Is supported by the appropriate documentation.
  - c. Requires more information. The information will be obtained via the most feasible method.
  - d. Identified violation(s) 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 the Executive Board.
  - f. The names of challengers and challenge forms shall remain confidential.
5. Any member of the Executive Board who was a candidate in a race that is challenged, or whose immediate family member is such a candidate, shall recuse themselves from discussion of and voting on the challenge. 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 CTA Challenge Procedures as described in the CTA Challenge Procedures – Local/Service Center Council Elections of the *CTA Elections Manual*. The names of challengers and challenge forms shall remain confidential. The Executive Board must issue its decisions in writing to the challenger 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 by writing to the CTA President.
  8. If the challenging party(ies) wish(es) to appeal the decision of the unit's governance body, s/he may file an appeal in writing to the CTA President within ten (10) calendar days from the date of the decision of the governance body. 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.

#### **N. 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 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 (3) 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 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) 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.

#### **O. Referendum Procedures**

1. Any action or proposed action of the Executive Board shall be referred to a vote of the Active membership upon two-thirds (2/3) vote of the Executive Board at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
3. The chapter president shall cause a ballot to be furnished to the Active members no less than fifteen (15) calendar days after action by the Executive Board, 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.

#### **P. 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. Any Active member(s) desiring to recall a unit officer or other elected office holder must file a copy of a petition with the chairperson of the Elections Committee before it can be circulated.
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).

- 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 also 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, good will 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 percent (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 petitions 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 the 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.