

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
TEACHERS' ASSOCIATION/CCA/CTA-NEA**

BYLAWS

I. NAME AND LOCATION

The official chapter name shall be the San Bernardino Community College District Teachers' Association/CCA/CTA/NEA, in San Bernardino County.

II. PURPOSES

The primary goals of this Association shall be:

- A. To represent members of the District faculty in their relations with their employer, and to be the exclusive representative of the faculty 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;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for the faculty;
- C. To provide an opportunity for continuous study and action on issues and problems of this association;
- D. To promote professional attitudes and ethical conduct among faculty members;
- E. To encourage cooperation and communication between the faculty and the various college constituencies;
- F. To foster good fellowship among the faculty.

III. AFFILIATION

The Association shall be:

- A. An affiliated chapter of the Inland Empire UniServ;
- B. An affiliated chapter of the Community College Association (CCA);
- C. A chartered chapter of the California Teachers Association (CTA); and
- D. An affiliate local chapter of the National Education Association (NEA).

IV. MEMBERSHIP

A. Statuses:

- 1. Active Member: All regular, contract, and part time (contingent) members of the faculty bargaining unit may become Active members of this Association upon payment of applicable dues. 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.

2. Non-member/Agency Fee Payer: Non-members shall be assessed a representative fee and shall not be eligible for Active Member entitlements, other than those provided by law.
3. Associate Member: Administration and management personnel, with the exception of those who are representing the District in labor negotiations, may elect to pay CTA/NEA dues to become Associate Members. Associate members shall not be eligible for Active Member entitlements, as stipulated in number 1 above.
4. Inactive Member: Regular or contract members who are on leave at reduced pay may elect to keep their membership current by arranging with the District to pay their dues on a tenths basis for the duration of their leave. Inactive Members who keep their dues current maintain their eligibility for all Active Member entitlements.

- B. Membership may be granted upon initiation of payroll deduction or upon payment of annual dues appropriate for the member's membership status.
- C. 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.
- D. Active members shall adhere to The Code of Ethics of the Education Profession as its provisions apply to community college faculty.
- E. The rights and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic identity, national origin, marital status, disability, or sexual orientation.
- F. No member of the Association may be disciplined without a due process hearing, which shall include an appellate procedure.

V. BUDGET

- A. Annual chapter dues for Active Members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover normal operating expenses of the Association and CTA and NEA dues.
- B. Local dues and the representation fee shall be determined by May 1 of each year. Any change in local dues and fees, and the assessment of special levies, must be submitted by the Executive Committee to a vote by the general membership. Approval shall be by a simple majority of the votes cast.
- C. Annual dues/fee may be paid in full by cash payment within thirty days of the starting date of the academic year, or in ten monthly installments by payroll deduction.
- D. Active members who are on leave at reduced pay may keep their membership active by paying adjunct dues on a tenths basis for the duration of their leave.
- E. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If after thirty days from the starting date of any academic year a members has neither paid the annual membership dues for the

current year, nor made arrangements for payroll deduction, then that person's active membership shall be considered delinquent and his/her name will be dropped from the rolls.

VI. **EXECUTIVE BOARD**

The Executive Board shall be the governing body of the Association.

- A. The Executive Board shall consist of the:
1. Association President, Secretary and Treasurer, elected at large;
 2. One Vice President from each campus, two fulltime faculty Representatives from SBVC, one fulltime faculty Representative from CHC, and one part-time (contingent) faculty Representative from each campus, elected by campus;
 3. One Grievance Chairperson from each campus, appointed by the President and ratified by the Executive Board, serving in a non-voting capacity;
 4. The Immediate Past President serving in a non-voting capacity following election;
 5. The Negotiating Team Chairperson or designee from the Negotiating Team, serving as a non-voting member of the Executive Board;.
 6. Any member of the Association who is serving as an elected officer of CTA/NEA shall serve on the Executive Board in a non-voting capacity.
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. Members of the Board shall be nominated by and elected from the Active membership of the Association by open nominations and secret ballot.
- D. Members of the Executive Board shall serve of two years, beginning July 1, following election.
- E. In the event of a vacancy in any elective office on the Board within the first year of the term, a special election shall be held to elect a successor to fill the unexpired term. If the vacancy should occur during the second year in any elective office other than President, the President shall appoint a successor to fill the unexpired term, subject to the approval of the Executive Board. In the case of President who is unable to complete the term of office, the Executive Board shall choose, by majority vote, one of the two Vice Presidents to complete the term.
- F. The Executive Board shall:
1. Adopt the annual budget of the Association no later than the first regular Board meeting of the academic year;
 2. Hold regular Board meetings;
 3. Carry out the day-to-day business of the Association;
 4. Call meetings of the general membership;
 5. Provide opportunities for professional leadership training to association executive board, committee chairs, and interested members;

6. Set dues for the Association and levy special assessments, as needed;
 7. Regularly inform the membership of the Board's actions; and
 8. Direct the bargaining process and recommend issues on behalf of the Association, subject to policies established by the membership.
- G. The Executive Board shall meet at least once during each school month; the number, place and time of meetings are to be decided by the Executive Board.
- H. Notices and agendas for all meetings of the Executive Board shall be sent to all members of the Board at least three days prior to the meeting date.
- I. A quorum for all meetings of the Executive Board shall consist of a majority of all voting members of the Board.

VII. BOARD MEMBER TERMS AND DUTIES

- A. Officers of the Association shall serve for a term of two years, beginning July 1 following election. Officers may succeed themselves for one additional two-year term.
- B. The President shall be the chief executive officer of the Association and its policy leader. The President shall:
1. Call and preside at all meetings of the Association and Executive Board;
 2. Prepare the agendas for all meetings of the Board and the membership;
 3. Attend meetings of the Service Center Council of which the Association is a part;
 4. Be the official spokesperson for the Association;
 5. Be familiar with the governance documents of the Association, CCA, CTA and NEA, the Colleges and the District;
 6. Appoint all chairpersons and members of committees, and of the bargaining team, with the approval of the Executive Board;
 7. Attend other CTA/NEA meetings as directed by the membership;
 8. Serve as Association representative to all meetings of the Community College Association, or to appoint a substitute to attend in his/her place.
- C. The Vice-Presidents shall:
1. Serve as assistant to the President in all of his/her duties;
 2. Assume the duties of the President during an absence, resignation or withdrawal;
 3. Attend, or send a designee, to the regular meetings of the campus Academic Senates as liaison for the Association and present a report to the Executive Board;
 4. Serve as co-chairperson of the Association Membership Committee; and
 5. Be responsible for the formation and distribution of the association's calendar of activities.

- D. The Secretary shall:
1. Keep a careful and accurate record of the proceedings of each regular or special Association meeting and of the Executive Board;
 2. Minutes shall include date and place of meeting and time convened;
 3. Minutes shall be kept in perpetuity;
 4. Maintain an accurate roster of and address label files for, Association and Unit membership;
 5. Carry on the correspondence pertaining to the affairs of the Association; and
 6. If the Secretary is unable to attend a meeting, he/she will appoint a substitute.
- E. 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. Receive all funds belonging to PAC and disburse those funds upon authorization by the Executive Board;
 4. Keep an itemized account of receipts and expenditures;
 5. Cosign with the President or other designated cosigners all checks drawn on Association accounts;
 6. Provide a written report on the financial status of the Association at each regularly scheduled Executive Board meeting and Association meeting;
 7. Maintain an accurate roster of membership of the Association;
 8. Submit information and financial reports to the chapter, CCA, CTA, NEA and other agencies as required by law; and
 9. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership.
- F. Voting Executive Board Members shall:
1. Attend all meetings of the Executive Board;
 2. Represent the views of constituency;
 3. Serve on one or more Association committees; and
 4. Assume such duties as assigned by the Executive Board.
- G. Members of the Executive Board shall be subject to attendance requirements as follows:
1. In case of two (2) unexcused absences from regularly scheduled meetings during the academic year, the seat of that member shall be declared vacant, and shall be filled in accordance with these bylaws.
 2. A member of the Executive Board shall be considered excused from the regular meetings because of personal illness of a family member, bereavement, legal responsibilities, or personal necessity of an emergency nature.

VIII. NOMINATIONS AND ELECTIONS

The chapter president must provide Active members an opportunity to vote in all elections.

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

- A. There shall be an Elections Committee appointed at the beginning of each academic year.
 1. The Chairperson shall be appointed by the President and approved by the Executive Board to which it is responsible..
 2. The Committee shall be composed of at least three (3) members who are not on the Executive Board, are familiar with SBCCDTA unit operations, and who are not seeking election.
 3. The Committee is charged with ensuring that elections are conducted in a fair and impartial manner.
- B. 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.
- C. Elections shall be conducted with:
 1. Open nomination procedure;
 2. Secret ballot;
 3. All Active member votes;
 4. Record of voters receiving or casting ballots; and
 5. Majority vote, unless otherwise specified.
- C. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines.
- F. The duties of the Elections Committee shall be to:
 1. Ensure that all Association/CTA/NEA election codes and timelines are followed
 2. Establish election timelines;
 3. Develop and carry out timelines and procedures;
 4. Prepare ballots for election of officers and such other elections as may be necessary;
 5. Count the ballots and certify the results; and
 6. Handle initial challenges.
- A. Any active member of the Association in good standing is eligible to be nominated and elected to an Association office.

- B. The calendar shall be established by the Nominations and Elections Committee and all elections shall be conducted to the Standing rules.
- C. Election of officers shall be completed no later than May 1st preceding the term of office.
- D. All elections shall be conducted by mailbox ballot. A plurality of votes cast shall constitute election.
- E. The Nominations and Elections Committee will prepare two ballots for each Election, one for SBVC and another for CHC.
- F. Any vacancy among the officers of the Association shall be filled in accordance with Article VI, Section E. Any special election shall be conducted by the Nominations and Elections Committee.
- G. An Association officer shall be subject to a recall election upon the presentation to the SBCCDTA Executive Board of a petition bearing the signatures of 30 percent of the members who are represented by that officer.

IX. MEETINGS OF THE GENERAL MEMBERSHIP

- A. There shall be at least one general membership meeting per semester.
- B. Meetings of the Association may be called by the President, three members of the Executive Board, or by written petition of twenty percent (20%) of the membership.
- C. Notices of the Association meetings including date, place, time, and purpose of the meetings shall be made available to all members of the Association at least three days before the meeting except during crisis situations.
- D. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify Association membership of meetings dates, places and times.
- E. A quorum for business meetings of the Association shall be equal to the number of members on the Executive Board.

X. NEGOTIATING TEAM

- A. Any Association member in good standing may become a member of the Negotiating Team.
- B. The Negotiating Team and such alternates as the Executive Board deems necessary shall be appointed by the President and approved by the Executive Board.
- C. Regular and alternate members of the Negotiating Team shall attend one orientation workshop on bargaining prior to, or during, their first year.
- D. The chairperson shall be appointed by the Executive Board and the Spokesperson shall be elected by and from its members.
- E. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- F. The Executive Board, by two-thirds (2/3) majority, may remove a member of the Negotiating Team.

- G. The duties of the Negotiating Team are to represent and to bargain for the bargaining unit.
- H. Employees in the bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the results shall be reported to the Association membership.
- I. The Negotiating Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- J. The Chairperson, in consultation with the Executive Board, shall disseminate information regarding bargaining and the activities of the Negotiating Team to the general membership.
- K. Agreements reached between the Negotiating Team and the San Bernardino Community College District shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership.

XI. COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval of the Executive Board.
- B. Committee Chairpersons and committee members shall be appointed by, and serve at the discretion of, the Executive Board.
- C. Each committee shall, upon invitation by the Executive Board, make periodic reports to the Board.

XII. STANDING COMMITTEES

- A. Political Action Committee: The Political Action committee (PAC) shall:
 - 1. Propose strategies to support candidates and policies that will further the interests of the Association;
 - 2. Propose the expenditure of PAC funds in furtherance of the interests of the Association;
 - 3. Act as a liaison to other political entities, including CCA, CTA, and NEA, at the discretion of the Executive Board;
 - 4. Be responsible for the creation and/or dissemination of political materials to the membership, the public, and the media, under the direction of the Executive Board.
- B. Grievance Committee: This committee shall
 - 1. Provide assistance to unit members in the processing of grievances and the resolution of other work-related problems;
 - 2. Provide training for handling grievances;
 - 3. Provide evaluation of the Association's grievance policies and procedures.
- C. Membership Committee: The Membership Committee, co-chaired by the Chapter Vice Presidents, shall promote membership benefits and recruit members.
 - 1. Publication & dissemination of newsletter, flyers, leaflets, etc.;

2. Organization of unit member activities to advocate for faculty issues; and
3. Outreach and coordination of efforts with, student, classified staff, and community organizations in support of mutual interests.

D. Social and Commemorations Committee: This committee, co-chaired by the Chapter Vice-Presidents, shall:

1. Plan and host chapter meetings;
2. Commemorate, on the Association's behalf, events in members' lives, such as serious illness, bereavement, retirement, etc.;
3. Propose, publicize, and make recommendations for scholarships, awards, and honors on behalf of this chapter; and
4. Any additional outreach that the Executive Board directs.

XIII. QUORUM

A Quorum for all general membership meetings shall consist of 10 percent of the membership. A quorum at meetings of the Executive Board shall consist of a majority of the Board. A quorum for committee meetings shall consist of the members present.

XIV. PARLIAMENTARY AUTHORITY

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

XV. AMENDMENTS/PROCEDURES

Any proposed amendment, upon approval of the Executive Board, shall be presented to the Chapter membership at least one week prior to the election date. Ratification requires two-thirds of the votes cast in a general membership election.

April 2008

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT TEACHERS
ASSOCIATION/CCA/CTA-NEA**

STANDING RULES

NOMINATIONS AND ELECTIONS

A. Elections Committee

1. There shall be an Elections Committee.
2. The Elections Committee and Chairperson shall be appointed by the president and approved by the appropriate governance body to which it is responsible at the beginning of each school year.
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.
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) day period between notice of election and the actual voting.
4. There shall be an all Active member vote. A member who is off-track shall be sent election information by mail to his/her last known residence.
5. A chapter shall provide means for all Active members to vote (including vote by mail), and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly scheduled voting place.
6. An Active member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot.

If a roster of Active members is prepared for a school site ahead of time, initials of the member may be accepted.

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. Campus/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 post-marked date) for declaration of candidacy forms;
 - d. Final date to acknowledge candidates' declaration of candidacy;
 - e. Date for preparation of ballots;
 - f. Date on which ballots will be distributed;
 - g. Date by which to request a ballot;
 - h. Date(s) when voting will take place;
 - i. Deadline date (date received, not post-marked date), time and place for return of ballots;
 - 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 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;
 - l. Dates and timelines for run-off election, if necessary; and,
 - m. Deadline for filing of challenges (date received, not post-marked date).

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 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 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 Method of Voting

1. Each member shall receive a ballot.
2. Voting shall be by one or a combination of the following methods:
 - a. At Campus/Work Site/Specified Voting Site

If a Site Representative is a candidate, refer to A. *Elections Committee*, 5.

- 1) Voting At Campus/Work Site(s)/Specified Voting Site
 - 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.
 - 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 Campus/Work Site(s)/Specified Voting Site Using Envelopes

When voting is conducted at campus 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 campus/work address.

- b) The voter shall be provided with the following:
 - (1) A ballot;
 - (2) 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;
 - (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) 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.

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 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, campus/work 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:
 - (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 campus on the outer envelope addressed to the chapter; and
 - (4) Deadline date for receipt of the voted ballot at 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 envelope 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 half 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: [*See the Election Timelines, Procedures, and Guidelines in section IV-9.2 of the CTA Elections Manual.*]
 - 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 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.*)
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 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 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 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 Elections Manual.

J. Counting of Ballots

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.
2. The Elections Committee shall count the ballots, which should be immediately following the deadline for receipt of voted ballots.
3. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
 - a. More ballots than signatures;
 - b. Ballot(s) submitted after deadline;
 - c. Member not listed on the voter roster;
 - d. Voter's intent unclear;
 - e. Votes cast for more than number allowed;
 - f. Votes cast on unofficial ballot (probably reproduced); and,
 - g. Voting envelopes without a signature.
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.
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.
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 campus(s) whose ballots were set aside and not counted shall be included with an explanation of illegality.
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. The ballots and voter sign-up sheets should be retained by the unit for one year after the election.

K. Observers

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.
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.

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) days after the announcement of the results of the election.
The notification must:
 - a. Specify which unit bylaw(s) and/or standing rule(s) have been violated.
 - b. Attach evidence of the violations, insofar as possible.
 - c. List names and addresses of parties who can give evidence.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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:
 - a. Specifically which unit bylaw(s) and/or standing rule(s) have been violated.
 - b. Attached evidence of the violations, insofar as possible.
 - c. List names and address of parties who can give evidence.
 - d. Written response of unit's governance body to original challenge.
8. 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.
9. 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.

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 the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation.
3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60%) or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator will be notified within 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 15 calendar days after verification of membership, provided that the period that campus 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 Active 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 Active membership on the ballot.
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 campus 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.

O. Recall Procedures

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's Active members.
2. An Active member 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 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.
 5. 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.
 6. 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.
 7. If there are insufficient signatures, the petition circulator shall be notified 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 calendar days after verification of membership.

The period that campus 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 foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.

B. COMMITTEE REPORTS

- A. The Political Action Committee Chairperson and the Grievance Chairpersons shall make reports with such frequency as the Executive Board may require.