



**C**haffey **C**ollege **F**aculty **A**ssociation

# **Bylaws: Appendix I**

## **Standing Rules for Association Elections**

### **I. PREAMBLE**

All regular and special elections for Association officers, contract ratification, and other issues submitted to the electorate for votes shall be conducted in a manner that is consistent with NEA/CTA rules and regulations. It is the purpose of these Standing Rules to specify minimum election and nomination requirements, announcements, and timelines; candidates' rights; management of balloting; challenging procedures; procedures for initiatives, referenda, and recalls, and procedures for amending these Standing Rules.

### **II. ELECTION REQUIREMENTS**

1. Nominations for any Association office, including self-nominations, may be made by any active member.
2. All balloting will be by secret ballot of the appropriate constituency.
3. There shall be at least a fifteen (15) day period between notice of election and the actual balloting.
4. All active members of the Association shall be given the opportunity to vote in elections whose outcomes affect the total Bargaining Unit. Election information shall be sent to the current e-mail address, as reported by the District Personnel Office, of each active member on any kind of paid leave and if the current e-mail address is not valid or functioning, then the information shall be sent to the member's current postal address, as reported by the District Personnel Office. It shall be the responsibility of the member on leave to notify the Election Committee Chair if s/he desires a ballot via e-mail instead of at the regularly scheduled voting place(s).
5. All active members of a school or administrative unit shall be given the opportunity to

vote in elections for School Representatives of the Representative Council. Election information shall be sent to the current e-mail address, as reported by the District Personnel Office, of each active member on any kind of paid leave and if the current e-mail address is not valid or functioning, then the information shall be sent to the

member's current postal address, as reported by the District Personnel Office. It shall be the responsibility of the member on leave to notify the School Representative that is conducting the election if s/he desires a ballot via e-mail instead of at the regularly scheduled voting place(s).

6. Members voting in an election shall acknowledge receipt of a ballot on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot.
7. All elections shall be decided by a majority vote, unless otherwise specified. In the event that no candidate receives a majority vote, a run-off election shall be held between the two candidates receiving the highest number of votes.
8. In elections for Representative Council membership or Association officers, if only one candidate is nominated, s/he will be declared the winner by acclamation without balloting procedures.
9. Chapter funds, facilities, staff, equipment, and mailings shall not be used to promote any candidate for office.

### **III. ANNOUNCEMENTS**

1. The announcement of election for Representative Council members and Association officers shall include the offices, length of terms, and election timelines. The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy.
2. The announcement of election for CTA State Council Representatives and NEA Delegates shall include a brief description of the duties of the offices, length of terms, and election timelines. The announcement shall be publicized in a manner that every member has an opportunity to file a declaration of candidacy.
3. The announcement of election for initiatives, referenda, and contract ratification shall include either the issue to be decided or, in cases where duplication of the issue (contract ratification, e.g.) would result in substantial cost, a specification of convenient locales where the member may review the issue or proposed contract.
4. Announcements shall include approved timelines for the elections. The announcement shall include, minimally:
  - a. The time, date, and place where declarations of candidacy are to be received.
  - b. The date for acknowledgment of declarations from candidates.
  - c. The date for the preparation of ballots.
  - d. The date on which ballots will be distributed.
  - e. The date(s) on which voting will take place.

- f. The deadline date for requesting absentee ballots.
- g. The deadline date, time and place for return of ballots, including absentee ballots.
- h. The date, time and place where ballots will be counted.
- i. The date(s) that announcement of results will be made to leadership, candidates and members.
- j. The dates and timelines for run-off elections, if necessary.
- k. The deadline for filing of challenges.

#### **IV. CANDIDATES' RIGHTS**

- 1. Privileges extended to one candidate shall be extended to all candidates.
- 2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
- 3. Each candidate shall have the right of access to a list containing the names and last known e-mail addresses of all members who have the right to vote in the election. If the e-mail address of a voting member is not valid or functioning, then the candidate shall have the right of access to the last known postal address for that particular member.
- 4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.

#### **V. MANAGEMENT OF BALLOTING**

- 1. The names of the candidates shall be printed on the ballot in alphabetical order.
- 2. The ballot shall state the name of the office, the term, and the names of the candidates.
- 3. The ballot shall include space for a write-in candidate, except in run-off elections.
- 4. Each active member shall receive a ballot. In cases of election for School Representatives for the Representative Council, ballots will be made available to all active members of the school or administrative unit represented by the office at issue. Records of members receiving ballots shall be retained by the Secretary for one (1) year.
- 5. Voting shall be conducted at one or more specified sites that are convenient to the voters.
- 6. Upon receipt of ballots, tally sheets and signature sheets, the Election Committee shall count the ballots in a secure area with only the Election Committee members and observers present.
- 7 The Election Committee shall count valid ballots and set aside any ballot( s) on which there is a question, such as:

- a. Blank ballot
  - b. More ballots than signatures
  - c. Ballot submitted after the posted deadline.
  - d. Voter not a member
  - e. Unclear voter intent
  - f. Votes cast for more than number allowed
  - g. Vote cast on unofficial ballot
  - h. Vote cast for ineligible candidate.
8. The Election Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
9. The Election Committee shall prepare the Final Election Report, recording the following information:
- a. Total number of ballots cast
  - b. The number of set-aside ballots with an explanation for each category of ballot not counted.
  - c. The number needed to win or pass.
  - d. The number of votes received by each candidate or issue
  - e. A notation whether the set-aside votes would affect the outcome
  - f. Signature of each Election Committee member present during the preparation of the report.
10. The Election Committee Chairperson shall submit the Final Election Report to the Vice President who shall inform the Representative Council of the results, as prescribed by the timelines.
11. If the votes set-aside would affect the outcome of the election, the Representative Council shall decide:
- a. To count the votes which have been set aside,
  - b. Not to count the votes which have been set aside, or
  - c. To void the election and conduct another election.

12. Any candidate who may be affected by the vote shall not participate in the decision-making process described in V, 11, above.
13. After the Representative Council approves the final results of the election, the Vice President shall notify all candidates of the Representative Council's decision.
14. The ballots and voter sign-up sheets shall be retained by the Secretary for one year after the election.
15. Each candidate shall be allowed to have an observer at the vote counting site and shall give the name of the observer to the Election Committee before the ballot counting. An observer shall not interfere with the counting and shall remain in the counting area until the Vice President is notified of the results.

## **VI. CHALLENGE PROCEDURES**

1. Any member observing a violation of election procedures shall notify the President and the Chairperson of the Election Committee, in writing, within five school days of the announcement of results. The notification must:
  - a. Specify the section(s) of these Bylaws, including the Appendices, that has (have) been violated,
  - b. Include supporting information, and
  - c. List names of parties who can provide information about the infraction.
2. The Election Committee shall respond within five school days after receipt of the challenge in an effort to resolve the issue. The Committee shall determine whether:
  - a. The challenge alleges a violation of these Bylaws, including the Appendices
  - b. The challenge is supported by appropriate documentation, and
  - c. The alleged violation is likely to have affected the outcome of the election.
3. The Election Committee shall report to the Vice President on its findings and recommendations within twenty school days.
4. The Representative Council shall make a decision on the resolution of the challenge.
5. The challenging party and all candidates in that race shall be notified of the decision of the Representative Council.
6. If the challenging party is not satisfied with the decision, s/he may appeal the decision in writing to the CTA President within twenty school days of receipt of the decision. It is the responsibility of the CCFA President to inform the challenging party of his/her right to appeal and to assist him/her in directing appropriate communication to the CTA President.

## **VII. 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 President by including a copy of the petition to be circulated, and the names of at least three active members supporting the proposed measure and responsible for its circulation.
3. The 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 forty-five (45) school days shall be permitted to obtain the signatures of at least ten percent (10%) 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 President the petition(s) containing original signatures.
6. The President shall have five (5) school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional seven (7) school days in which to gather and submit the necessary signatures. The President shall have three (3) school days in which to verify the membership of the additional signers.
8. The President shall cause a ballot to be furnished to the active members no less than fifteen (15) school days after verification of membership.
9. Regular election procedures described in these Bylaws shall be followed.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified in the ballot measure.

## **VIII. REFERENDUM PROCEDURES**

1. Any action or proposed action of the Representative Council shall be referred to a vote of the membership upon a two-thirds (2/3) vote of the Representative Council.
2. The referendum action shall prescribe the exact wording of the question to be posed to the membership on the ballot.
3. The President shall cause a ballot to be furnished to the active members no less than fifteen (15) school days after the action by the Representative Council.
4. Regular election procedures described in these Bylaws shall be followed.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified in the ballot measure.

## **IX. RECALL PROCEDURES**

1. The active membership shall have the authority to recall from office any person or persons holding such office by virtue of having been elected thereto by the total active membership of the Association.
2. The active membership of a school or administrative unit shall have the authority to recall from office any person or persons holding such office by virtue of having been elected thereto by the total active membership of that school or administrative unit.
3. An active member in the appropriate jurisdiction (total membership for officers representing the total membership, membership in the affected school or administrative unit for officers representing only that school or unit) shall file a notice of the intent to circulate a petition to recall with the President by including a copy of the petition to be circulated, and the names of at least three active members of the appropriate jurisdiction supporting the proposed measure 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 Vice President.
4. The 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.
5. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of forty-five (45) school days shall be permitted to obtain the signatures of at least ten percent (10%) of the active members in the appropriate jurisdiction. The petition shall contain the question proposed to be placed on the ballot.
6. The circulators shall present to the President the petition(s) containing original signatures.
7. The President shall have ten (10) school days in which to verify the membership of the signers of the petition.
8. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional fifteen (15) school days in which to gather and submit the necessary signatures. The President shall have five (5) school days in which to verify the membership of the additional signers.
9. The President shall cause a ballot to be furnished to the active members in the appropriate jurisdiction no less than twenty (20) school days after verification of membership.
10. Regular election procedures described in these Bylaws shall be followed.
11. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted by the Representative Council, excluding from participation the officer(s) or member(s) directly affected by the recall. These supplementary rules shall be published within the same publications and by the same manner as are prescribed for other elections within the Association.
12. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified in the ballot measure.



**X. AMMENDMENTS**

1. These Standing Rules may be amended by a majority vote of the Representative Council or by the Initiative Procedures described herein.

***ADOPTED : October 1996***

***REVISED : April 2011***