

Moorpark Educator's Association (MEA)
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MEA Constitution and By-Laws

I. NAME AND LOCATION

- A. The name of this Association shall be the Moorpark Educators Association/CTA/NEA in Ventura County, California.

II. PURPOSES

- A. The primary purposes of this Association shall be:
1. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment
 2. To form a representative body capable of developing group opinion on professional matters to speak with authority for teachers
 3. To provide an opportunity for continuous study and action on problems of the profession
 4. To promote cooperation and communication between education support professionals and certificated educators
 5. To provide a means of representation for its ethnic-minority members
 6. To promote professional attitudes and ethical conduct among members
 7. To encourage cooperation and communication between the profession and the community; and
 8. To foster good fellowship among members.

III. AFFILIATION WITH THE CTA/NEA

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

IV. MEMBERSHIP: The primary category of membership shall be Active members.

- A. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of the Moorpark Unified School District, and whose primary assignment is such as not to hold supervisory evaluative responsibility over other certificated employees to such an

extent as not to be represented in the negotiations process by the teacher bargaining unit.

- B. Membership may be granted upon initiation of payroll deduction or upon payment of annual Chapter/CTA/NEA dues appropriate to the class of membership.
- C. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- D. All members shall receive special services, obtain assistance in the protection of and civil rights, and receive reports and publications of the Association.
- E. Active members shall adhere to The Code of Ethics of the Education Profession.
- F. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- G. No member of the Association may be disciplined without a due process.
 - 1. 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.
- H. 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.
- I. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within the Association.

V. DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active MEA 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.
- B. The MEA's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative Council at the last regular meeting of the school year.
- C. MEA shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the Chapter/CTA/NEA dues.

- D. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category.
 - 1. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.
- E. Political Action —An amount not to exceed ten (10) dollars per annum of the dues shall be designated for political action and placed in a separate account for the use of the Moorpark Educators Association Political Action Committee. Such amount designated for political action shall be voluntary on the part of the member. Any member who does not wish to contribute to the political action fund shall have an amount equal to the political action donation placed in the general fund of the association.

VI. POLICY-MAKING BODY

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of members of the Association, derives its powers from and shall be responsible to the membership.
- B. The Representative Council shall be composed of the following Active members:
 - 1. Voting members of the Executive Board ex-officio;
 - 2. Faculty Representatives elected on the basis of one-person one-vote;
- C. The Representative Council shall:
 - 1. Establish Association policies and objectives;
 - 2. Adopt the annual budget of the Association on or before the first meeting of the school year;
 - 3. Approve the establishment or discontinuance of committees recommended by the Executive Board
 - 4. Establish the dues of the Association.
- D. The Representative Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the membership.
- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.

- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- I. Quorum for all meetings of the Representative Council shall consist of thirty percent (30%) of all voting members of the Representative Council, or seventy-five percent (75%) of the faculty groups (sites) entitled to seats on the Representative Council.

VII. FACULTY REPRESENTATIVES

- A. Faculty representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.
- B. Representatives shall serve a term of one (1) year.
- C. Each faculty shall be entitled to at least one representative and shall have one representative for each ten (10) Association members on the faculty, or major fraction thereof.
- D. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies: vacancies in the office of Representative for whatever cause may be filled by properly elected or appointed replacements.
- F. Faculty Representatives shall:
 - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty unit
 - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the Active members
 - 3. Represent the views and input of the Active membership of the faculty in votes taken in the representative council
 - 4. Conduct frequent and regular polls of such membership for this purpose
 - 5. Perform such additional duties as prescribed by the Executive Board; and
 - 6. Attend all meetings of the Representative Council.
- G. A Faculty Representative may not conduct an election in which he/she is a candidate.

VIII. OFFICERS

- A. The officers of the Association shall be a President, a Vice-President, and a Secretary/Treasurer, provided that the office of the President is a full-time release position. Otherwise, there shall be a separate office each for the positions of Secretary and Treasurer.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the Active membership of the Association. Such election shall be by open nominations and secret ballot.
- D. Officers shall be elected for a term of two (2) years commencing on July 1 of any calendar year.
- E. 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. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
- F. The President shall be the chief executive officer of the Association and its policy leader.
- G. The President shall:
 - 1. Preside at all meetings of the Association, the Representative Council and Executive Board
 - 2. Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board
 - 3. Be the official spokesperson for the Association;
 - 4. Be familiar with the governance documents of the Association, CTA, and NEA
 - 5. Appoint all chairpersons and members of committees
 - 6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board by the beginning of each school-year
 - 7. Call meetings of the Association and the Executive Board;
 - 8. Suggest Propose policies, plans and activities for the Association and be held responsible for the progress and work of the Association, and propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council
 - 9. Attend meetings of the Service Center Council of which the Association is a part
 - 10. Attend other CTA/NEA meetings as directed by the Representative Council
 - 11. Shall be one (1) of the two (2) of the Association's delegates to the NEA Representative Assembly (R.A.) during years in which the Representative Council

determines there are sufficient funds to send delegates;
and

12. May Shall be a co-signor on Association warrants, drafts, and checks.

H. The Vice-President shall:

1. Serve as assistant to the President in all duties of the President
2. Assume the duties of the President in the absence of the President
3. Be responsible for the formation and distribution of the Association's calendar of activities
4. Serve as coordinator of committee activities at the direction of the President.
5. May be a co-signor on Association warrants, drafts, and Checks

I. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board; and to the membership when appropriate
3. Keep an accurate roster of the membership of the Association and of all committees
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President
5. May be a co-signor on Association warrants, drafts, and checks.

J. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting
2. Pay out such funds upon orders of the President
3. Prepare a written financial report for each regular meeting of the Representative Council and Executive Board
4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law
6. May be a co-signor on Association warrants, drafts, and checks.

IX. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers: four (4) members elected at-large from the membership (one

- (1) each from the elementary schools (East & West) and one (1) each middle schools 6-8, and one (1) high school 9-12, and the negotiations and grievance chairpersons (nonvoting ex-officio), as long as this complies with the "one-person one-vote" rule.
- 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. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
 - D. The at-large members of the Executive Board shall be elected for a term of two (2) years, commencing on July 1 of any calendar year.
 - E. Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within thirty days.
 - F. The Executive Board shall meet before each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
 - G. The duties and the responsibilities of the Executive Board are:
 - 1. Coordinate the activities of the Association
 - 2. Act for the Representative Council when school is not in session
 - 3. Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council
 - 4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
 - 5. Recommend a budget for the Association to the Representative Council
 - 6. Approve by majority vote all appointment and removal of Committee appointments members, including chairpersons
 - 7. Adopt the Standing Rules for the Association
 - 8. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council
 - 9. Serve as the Moorpark Educators Association Political Action Committee
 - 10. Adopt grievance procedures and direct the grievance activities of the Association.

11. A quorum for all meetings of the Executive Board shall consist of a majority of the members of that body.

X. MEETINGS OF THE GENERAL MEMBERSHIP:

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

XI. BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for the all bargaining unit members.
- B. The President shall appoint aft members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) majority, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the membership Representative Council.
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by Association members in that unit.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- I. The Bargaining Team is empowered to reach tentative agreements with the district.
- J. Such agreements shall be considered tentative and not binding on 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 that active membership.

XII. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
 - 1. Provide for representation to assist all members of the bargaining unit(s) in processing grievances;
 - 2. Training for handling grievances; and
 - 3. Evaluation of the Association's grievance policies and procedures.

XIII. NOMINATIONS AND ELECTIONS

- A. 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.
- B. The chapter president must provide all Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held
- C. 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.
- D. The duties of the Elections Committee shall be
 - 1. Ensure that all MEA/CTA/NEA elections codes and timelines are followed
 - 2. Establish election timelines;
 - 3. Develop and carry out timelines
 - 4. Prepare ballots for election of officers and such other elections as may be necessary
 - 5. Count the ballots and certify the results
 - 6. Handle initial challenges.

XIV. PARLIAMENTARY AUTHORITY

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

XV. AMENDMENTS/PROCEDURES:

- A. These Bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

XVI. NOMINATIONS AND ELECTIONS

- A. Standing Rules are the day-to-day rules by which the organization runs its meetings and business. They should be easily changed in order to adapt to changing conditions and policy (example: simple majority vote of the Executive Board).

B. Elections Committee:

1. There shall be an Elections Committee.
2. The Elections Committee shall be appointed.
3. The Elections Committee shall be composed of at least three members.
4. The chair of the Elections Committee shall be appointed by the President.
5. Members of the Elections Committee shall be approved by the Executive Board.
6. A member shall abstain from participation in Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate.

C. Election Requirements

1. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself), Only reasonable qualifications for office such as membership in the chapter may be required.
2. Every member shall be assured of voting by secret ballot.
3. There shall be at least a ten (10) day period between notice of election and the actual voting, including the time allotted for the filing of nominations papers.
4. There shall be an all member vote. A member who is off-track shall be sent election information by mail to his/her last known residence.
5. A chapter shall provide means for all 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. A 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.
7. If a roster of members is prepared for a school site ahead of time, initials of the member may be accepted.
8. All elections shall be decided by a majority vote, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the two candidates receiving the highest number of votes.

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

- E. Open nomination procedure
 - 1. Secret ballot;
 - 2. All active member vote;
 - 3. Record of voters receiving or casting ballots, and
 - 4. Majority vote, unless otherwise specified.
- F. State Council Representative Elections shall be conducted in accordance with CTA guidelines rules after the chapter or Service Center Council has been notified to do so by the CTA Elections Committee.
- G. NEA State Delegate elections shall be conducted in accordance with NEA/CTA guidelines rules.
- H. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA guidelines rules

XIX. COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the Representative Council.
- B. Each committee shall submit periodic reports to the Executive Board and Representative Council.
- C. The Political Action Committee of the Moorpark Educators Association, which consists of members of the MEA Executive Board, may endorse, upon approval of the MEA Representative Council, candidates for local Moorpark Board of Education.
- D. The MEA Political Action Committee shall collect funds from members to be expended on behalf of Association endorsed candidates and/or issues
 - 1. The PAC shall be known as the Moorpark Educators Association Political Action Fund and shall be subject to the control of the Board of Directors of the Moorpark Educators Association.
- E. The Board shall open a separate bank account for the MEA Political Action Fund.
- F. The MEA Executive Board shall establish procedures for the operation of the fund.
- G. Timeline:
 - 1. Schools on alternative calendars shall be considered when setting election timelines.
 - 2. The timeline for the election shall include dates for:
 - 3. Time, date, and place where declarations of candidacy are to be received. Literature shall include information that date is receipt date and not postmark date.
 - 4. Date for acknowledgment of declarations from candidates.
 - 5. Date for preparation of ballots.

6. Date on which ballots will be distributed.
7. Date(s) when voting will take place.
8. Deadline date for requesting absentee ballot.
9. Deadline date, time and place for return of ballots, including absentee ballots.
10. Date, time and place where ballots will be counted.
11. Date(s) that announcement of results will be made to leadership, candidates and members.
12. Dates and timelines for run-off election, if necessary.
13. Deadline for filing of challenges.

H. Finances

1. Chapter moneys 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.

I. 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 of access to a list containing the names and last known addresses of all members.
4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.

J. Ballot:

1. The names of the candidates shall be printed on the ballot in (CTA election alphabet, in alphabetical order or in an order pre-selected by the unit for one year). 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.
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.

K. Vote Requirement

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.
2. A majority vote means more than half of the legal votes cast.

3. A plurality vote means the largest number of votes to be given any candidate or issue.
 4. A two-thirds (2/3) vote means at least two-thirds (2/3) of the legal votes cast.
 5. For unit officers, the election will be by majority.
 6. For State Council, MEA is within the Ventura County V-2 multiple unit electoral districts, and there will be a majority vote. This election will be conducted by the Channel Islands Service Center Council.
 7. 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.
 8. For NEA Local Delegate, 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.
 9. 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. The election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
 10. For NEA State Delegates, the election will be by plurality vote. 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.
- L. Distribution of Ballots and Method of Voting
1. Each member shall receive a ballot.
- M. Voting shall be by one or a combination of the following methods:
1. At School Site/Specified Voting Site
 2. If a Site Representative is a candidate, refer to A. Elections Committee, 6.
 3. Voting at School Site(s)/Specified Voting Site

- a. Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
- N. Voter Roster — List of eligible voters.
1. Voter Sign-up Sheet — List of eligible voters which includes a place for a signature.
 2. The marked ballot must be returned to a designated site representative or ballot box.
 3. Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time.
 4. Active members who are off-track or on dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote.
- O. Voting at School Site(s)/Specified Voting Site Using Envelopes
1. When voting is conducted at school or specified sites using envelopes, the procedure shall be as follows:
 2. A list of current members shall be prepared, which includes each member's name, school and home address.
 3. The voter shall be provided with the following:
 - a. A ballot;
 - b. Instructions on folding of the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope addressed to the chapter; and 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.
 - e. 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.
 - f. The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - g. All inner envelopes shall be placed in a separate receptacle.
 - h. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.
- P. By mail
1. When the voting is conducted by mail, the procedure shall be as follows:

2. Members who are off-track or on dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote.
3. 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:
 - a. A list of current official members shall be prepared, which includes the following: name, school and home address.
 - b. The mailing list shall exactly correspond to the current official roll of voting members.
 - c. Each voter shall be provided with: a ballot, instructions on folding and placing of the ballot in the unsigned inner envelope, placement of the unsigned inner envelope into the outer envelope, signature and school on the outer envelope addressed to the chapter, and deadline date for receipt of the voted ballot at the chapter office.
 - d. Inner envelope and outer return envelope, addressed to the chapter
 - e. instructions on returning of the voted ballot, including the signature.
 - f. 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.
 - g. At the time of counting, the names on the outer envelope shall be checked against the official list of teachers who are off-track.
 - h. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - i. All inner envelopes shall be placed in a separate receptacle.
 - j. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

Q. Counting of Ballots

1. A preliminary count may take place at the voting sites.
2. Upon receipt of ballots, tally sheets and signature sheets, the Elections Committee shall count the ballots in a secure area with only the Elections Committee members and observers present.
3. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:

- a. Blank ballot
 - b. More ballots than signatures
 - c. Ballot submitted after deadline
 - d. Voter not a member
 - e. Voter's intent unclear
 - f. Votes cast for more than number allowed
 - g. Vote cast on unofficial ballot
 - h. Vote cast for ineligible candidate.
- R. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted and make a note of the decision. Each category of ballot shall be kept separate.
- S. The Elections Committee shall prepare the Final Report, recording the following information:
- 1. Total number of ballots cast.
 - 2. The number of set aside ballots with an explanation for each category of ballot not counted.
 - 3. The number needed to win or pass.
 - 4. The number of votes received by each candidate or issue.
 - 5. A notation whether the set aside votes would affect the outcome.
 - 6. Signature of each Elections Committee member present during the preparation of the report.
- T. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results. The election results shall be posted at each work site as soon as possible following the election.
- U. The President shall announce the results as prescribed by the timelines.
- V. If the votes set aside would affect the outcome of the election, the President and the appropriate body shall decide
- 1. To count the votes which have been set aside; not to count the votes which have been set aside, or if the election should be conducted again.
 - 2. Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.
 - 3. The ballots and voter sign-up sheets shall be retained for one year after the election.
- W. 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 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.

X. 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.
3. The notification must:
 - a. Specify which unit by-law(s) and/or standing rules have been violated.
 - b. Attach evidence of the violations, insofar as possible.
 - c. List names and addresses of parties who can give evidence.
 - d. Within seven (7) calendar days after receipt of the challenge, the unit Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation of the challenged election for the purpose of ascertaining the facts. Following the investigation to ascertain the facts, the Elections Committee will attempt to reach resolution and issue a decision regarding the validity of the challenge based on whether the alleged violation may have affected the outcome of the election. A copy of the recommendation will be sent to the president of the unit for disposition.
 - e. If an individual wishes to appeal the decision of the Elections Committee, or if the unit Elections Committee fails to act, he/she may file an appeal within seven (7) calendar days from the date of the filing of the challenge by writing to the CTA President.
 - f. 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.

Y. 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. A 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 45 school days shall be permitted to obtain the signatures of at least 10 percent or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have 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 7 school days in which to gather and submit the necessary signatures. The chapter president shall have 3 school days in which to verify the membership of the additional signers.
8. The chapter president shall cause a ballot to be furnished to the members no less than 15 school days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

Z. Referendum Procedures

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

that the period that school is officially not in session shall not be included in this count.

4. Regular election procedures (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.

AA. 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. A member shall file a notice of the intent to circulate a petition to recall with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding the office of president, the request shall be made to the next ranking officer.
3. The chapter president shall register the receipt of the notice of the intent to circulate and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 60 school days shall be permitted to obtain the signatures of at least 25 percent or more of the active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have 10 school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition, the petition circulator shall have an additional 15 school days in which to gather and submit the necessary signatures. The chapter president shall have 5 school days in which to verify the membership of the additional signers.

8. The chapter president shall cause a ballot to be furnished to the members no less than 20 school days after verification of membership. The period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

XX. Grievance Procedure

- A. The President shall appoint a Grievance Chairperson by the beginning of the school-year. The Grievance Chairperson, if not an elected officer, shall be a member of the Executive Board ex-officio.
- B. The Grievance Committee shall consist of at least five (5) members and shall be appointed by the President. In the event that not enough volunteers can be found to form a Grievance Committee, the Executive Board shall act as the Grievance Committee.
- C. The term of the Grievance Chairperson and Committee shall be for two (2) years.
- D. The Grievance Committee shall:
 1. Be responsible for implementing the Association's grievance program,
 2. Provide assistance to members in processing grievances, including but not limited to attendance at any grievance hearing,
 3. Make recommendations to the Executive Board regarding budgetary issues, especially expenditures,
 4. Carefully consider the merits of each grievance, including recommendations to seek arbitration,
 5. Study and maintain the grievance process and policies and make recommendations for improving effectiveness.
 6. The Executive Board shall be the decision making body as to whether the Association shall proceed with a request for arbitration. If the Executive Board declines to seek arbitration and the member/grievant disagrees with the Board's decision, the member/grievant may seek an appeal of that decision

with the Representative Council. The Council may either elect to uphold the Board's decision or, alternatively, elect to proceed with seeking arbitration of behalf of the member/grievant.