

# TEACHERS ASSOCIATION OF LANCASTER, NO. 887/CTA/NEA

## I. NAME & LOCATION

The name of this Association shall be the Teachers' Association of Lancaster (TAL)/CTA/NEA in Los Angeles County.

## II. PURPOSES

The primary purpose of this Association shall be:

- A. 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;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To provide a means of representation for its ethnic-minority members;
- E. To promote professional attitudes and ethical conduct among members;
- F. To raise the standards for education support professionals;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

## III. AFFILIATION WITH CTA/NEA

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

## IV. MEMBERSHIP

- A. Categories of Membership: The primary category of membership shall be Active members.
- B. Active Membership shall be open to any person who is engaged in or is on limited leave of absence from professional educational work, is an employee of Lancaster School District, and whose primary assignment is such as not to hold evaluator responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues. Active members are entitled to vote according to the one-person, one-vote principle; attend Association meetings except where personnel issues require confidentiality; be heard upon proper recognition on any pertinent matter at the meetings of the Association; receive special services; obtain assistance in the protection of professional and civil rights; and, receive reports and publications of the Association.
- D. The right to vote and hold elective office or appointive position within the Association shall be limited to Active members.
- E. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association, and is not an Active member.
- 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 hearing, which shall include the established appellate procedure.
- H. Active members shall adhere to the Code of Ethics of the Education Profession found on the back of California credentials. The Executive Board has the power to censor, suspend or expel any member for violation of the code, subject to review by the Representative Council. A member may, within sixty (60) days after a decision by the Professional Rights and Responsibilities Committee, file and appeal of the decision with the Representative Council.
- I. The membership year shall be the period of time from September 1 of any given calendar year through August 31<sup>st</sup> of the following calendar year, inclusive.
- J. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

## **V. DUES, FEES, AND ASSESSMENTS**

- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative Council of the Association at or before the last regular meeting of the school year. The Teachers Association of Lancaster shall apportion any negotiated representation fee or organization security fee on the same percentage basis as the full chapter/CTA/NEA dues.
- C. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangement for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

## **VI. POLICY-MAKING BODY**

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of Active members of the Association, derives its powers from and shall be responsible to the Active membership.
- B. The Representative Council shall be composed of the following Active members:
  - 1. Executive Board, ex-officio-voting;
  - 2. Site 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; and
  - 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 20% of the Active 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 school 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. Members of the Representative Council shall serve a term of one school year.
- J. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

## **VII. SITE REPRESENTATIVES**

- A. Site Representatives shall be elected by and from the Active membership for each faculty group by open nominations and by secret ballot. Site or faculty group election results must be furnished to the Elections Chair prior to a Site Representative voting at a Representative Council meeting.
- B. Each site shall be entitled to at least one representative and shall have one representative for every fifteen Active members on the site faculty, or major fraction thereof.
- C. Active members who are not represented through a site faculty group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- D. Prior to the first Representative Council meeting of school year, each site or special faculty group shall be notified by [the President/ Executive Board] as to how many representatives their school is eligible to have.
- E. Vacancies in the office of Site Representative for whatever reason may be filled by properly elected replacements. The President will notify all members of a site when a Site Representative has missed two (2) consecutive Representative Council meetings
- F. Site Representatives shall:
  1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty/site 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 site in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
  4. Perform such additional duties as prescribed by the Executive Board.
- G. A Site Representative may not conduct an election in which s/he is a candidate.

## **VIII. OFFICERS**

- A. The elected officers of this Association shall be a President, First Vice-President, Second Vice President-Organizing, Treasurer, Secretary, Minority Member-at-Large and Member-at-Large on Women's Issues.
- 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 years commencing on July 1st 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. In the event of 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 within twenty (20) work days from date of notice of vacancy in order to elect successors to fill the unexpired terms.
- F.** The President, as the chief executive officer of the Association and its policy leader 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 the committees with the approval of the Executive Board and confirmation by the Representative Council by the beginning of each school year;
  6. Appoint the chairperson and members of the bargaining team with the approval of the Executive Board and confirmation by the Representative Council by the beginning of each school year;
  7. Call meetings of the Association, Representative Council and the Executive Board;
  8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
  9. Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association;
  10. Attend meetings of the Service Center Council of which the Association is a part; and
  11. Attend other CTA/NEA meetings as directed by the Representative Council.
  12. Shall be an ex-officio member of all committees except the Bargaining and Elections Committees.
- G.** The First 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 due to death, incapacitation, resignation, or severe illness;
  3. Serve as coordinator of committee activities, trainings and plan member social events at the direction of the President; and,
  4. Assist the Representative Council in observing Robert's Rules of Order when following parliamentary procedures.
  5. Be responsible for the formation and distribution of the Association's calendar of activities, including committees.
- H.** The Second Vice President-Organizing shall:
1. Serve as Organizing Committee Chair;
  2. Keep the President, Executive Board and Active membership informed of current event topics that affect the Bargaining Unit;
  3. Provide regular updates to the Representative Council on current political events that effect the Bargaining Unit;

4. Assist the First Vice President in all duties as needed, including the Beginning of Year Welcome Social; and,
5. Coordinate all activities related to local, state and national elections with the PAC Chair.

**I. The Treasurer shall:**

1. Receive all funds belonging to the Association and be responsible for their safe keeping and accounting;
2. Pay out such funds upon the orders of the President and maintain an up-to-date record of all transactions.
3. Provide a written financial report for each regular meeting of the Representative Council and Executive Board;
4. Prepare the budget after consultation with and at the direction of the Executive Board.
5. Be responsible for an annual audit of the books of the Association and distribute a summary of this audit to the membership; and,
6. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

**J. 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 meeting notices, agendas, and prior minutes for Representative Council, the Executive Board, and the General membership;
3. Keep an accurate roster of membership of the Association and of all committees; including contact information for all officers, committee members and site representatives; and
4. Conduct internal unit correspondence pertaining to the affairs of the Association, including newsletter or website communication and coordination of unit social activities, as directed by the President;

**K. The Minority Member-at-Large shall:**

1. Conduct constant and ongoing liaison between Active members of minority caucuses as identified by CTA (African-American, Latino, Native American, & LGBT) and the Representative Council; in particular, identifying and working to remedy barriers to increased minority participation and leadership within TAL.
2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and Active members of minority groups;
3. Represent the views and input of Active members of minority groups in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
4. Receive training in provide outreach and support on related human rights issues to meet the needs of Active members of minority groups.
5. Perform such additional duties as prescribed by the Executive Board.

**L. The Member-at-Large for Women's Issues shall:**

6. To represent and advocate for the perspectives and concerns of women and their working conditions within the district by identifying and addressing barriers to participation and involvement within TAL.
7. Perform such additional duties as prescribed by the Executive Board.

## **IX. Executive Board**

- A.** The Executive Board shall be composed of elected officers, and may include members elected at-large from the Active membership 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 Executive Board shall meet before each regular meeting of the Representative Council and as such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- D.** The duties and 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 of the Association, subject to policies set by the Representative Council;
  - 4. Approve by majority vote appointment and by 2/3 vote removal of the 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 members, including Chairpersons;
  - 7. Adopt the Standing Rules for the Association;
  - 8. Adopt grievance procedures;
  - 9. Direct grievance activities of the Association; and
  - 10. 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.
- E.** 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 Active 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.** Quorum for meetings of the Association shall be a majority of the Active membership (50% plus 1). A quorum must be met for a vote to be taken.

## **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 all 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. The Bargaining Team shall be under the direction of the Executive Board, and shall report its activities to the Executive Board, as the Board requires.
- F. The Bargaining Team is empowered to reach tentative agreements with the district subject to ratification by the Active membership.
- G. 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 Representative Council.
- H. Employees in the bargaining unit shall be surveyed to determine contents of the proposed contract demands and the contract proposal shall be approved by the Representative Council.
- I. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- J. Agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the Active membership 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 in processing grievances;
  2. Training for handling grievances; and
  3. Evaluation of the Association's grievance policies and procedures.

## **XIII. NOMINATIONS AND ELECTIONS**

The chapter president must provide Active members and 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 appointed Elections Committee.
- B. Elections shall be conducted with:
  1. Open nomination procedure;
  2. Secret ballot;
  3. All Active member vote;
  4. Record of voters receiving or casting ballots; and
  5. Majority vote, unless otherwise specified.
- C. State Council Representatives 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 elections of officers and such other elections as may be necessary;
  - 5. Count the ballots and certify the results; and
  - 6. Handle initial challenges.

#### **XIV. 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 written monthly reports to the President and Secretary for dissemination to the Executive Board and Representative Council.

#### **XV. PARLIAMENTARY AUTHORITY**

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

#### **XVI. AMENDMENTS/PROCEDURES**

These Bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meetings 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. For the current revisions (9/2011), changes must be ratified by general membership, according to the term of existing bylaws. Bylaw changes ratified by 3/2012, affecting elected positions, will become effective for terms of office beginning July, 2011, subject to established voting procedures.



# 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 Executive Board to which it is responsible at the beginning of each school year.
3. The Elections 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 insure that an open nomination procedure is in place in which any Active member may nominate any Active member, including her/himself. The only reasonable qualifications for office shall be Active membership in the chapter.
2. Every Active member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) calendar day period between notice of election and the actual voting.
4. There shall be an all Active member vote. A member who is off-track or on dues-paying leave shall be sent election timeline and ballot by mail to his/her last known residence by the Elections Committee.
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 Elections Committee if s/he desires a ballot at a location other than the 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 members is prepared for a school site ahead of time, initials of the member may be accepted.

### C. Announcement

1. The announcement of the 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.

### D. Timeline

1. Schools 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 are 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 declarations of candidacy forms;
- d. Final date for acknowledgment of declarations from candidates;
- 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 not be later than five (5) calendar days following the counting of ballots;
- l. Dates and timelines for run-off election, if necessary; and
- m. Deadline for filing of challenges to initial election and run-off if held (date received, not 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, goodwill, and credit.
3. A unit may not state or indicate its preference for a candidate in the unit's publications.
4. The use of links to any Association website by a candidate is prohibited.
5. Candidates cannot campaign on any Chapter, Service Center Council, UniServ or district-created social networking site.
6. District email addresses and/or systems shall not be used for campaigning.
7. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of the unit, CTA, or any of its affiliates. This prohibition includes candidate email addresses.

#### **F. Candidate's Rights**

1. Privileges extended to one candidate shall be extended to all candidates.
2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
3. Each candidate shall have the right to a list of the names 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.
2. 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.

3. The ballot shall state the name of the office/position, the term, and the names of the candidates.
4. The ballot shall include space for a write-in candidate, except in run-off elections.

#### **H. Distribution of Ballots and Methods of Voting**

1. Each member shall receive a ballot. Active members who are off-track or on dues-paying leave shall be sent an election timeline and ballot by mail to his/her last known residence by the Elections Committee in order to provide an opportunity to vote.
2. Voting shall be by one or a combination of the following three methods:

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

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

##### **1) On-Site Voting – Using Ballot Box**

- a) Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
  - (1) Voter Roster - List of Eligible Voters
  - (2) Voter Sign-Up Sheet - List of Eligible Voters which includes a place for a signature.
- b) The marked ballot must be returned to a designated site representative or ballot box.
- c) Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time.

Ballots must be **secured and uncounted**. Roster/Sign-up sheets and ballots from each site must be kept together until verified by Elections Committee.

- d) Preliminary Counts shall **not** be completed at school/work sites.
- e) Refer to Section K for the Counting of Ballots procedures

##### **2) On-Site Voting – Using Envelopes**

When voting is conducted at school or specified sites using envelopes, the procedure shall be as follows:

- a) A list of current Active members shall be prepared, which includes each member's name and school/work address.
- b) The voter shall be provided with the following:
  - (1) A ballot;
  - (2) Instructions on:
    - i. Folding and placing of the ballot in the unsigned inner envelope;
    - ii. Placing of the unsigned inner envelope into the outer envelope
    - iii. Signature and school on the outer envelope addressed to the chapter; and
    - iv. 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 be put in a separate stack for safekeeping as a record of voters.
- e) All inner envelopes shall be placed in a separate receptacle.

- f) In inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.
- g) Refer to Section K for the "Counting of Ballots" procedure.

## **b. Voting By Mail**

Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:

- a) A list of current Active members shall be prepared, which includes the following: name, school/work and home addresses.
- b) A determination shall be made prior to the election whether the ballots shall be sent to the school/work or to the home address of the Active member.
- c) The voter shall be provided with the following:
  - (1) A ballot;
  - (2) Instructions on:
    - i. Folding and placing of the ballot in the unsigned inner envelope;
    - ii. Placing of the unsigned inner envelope into the outer envelope
    - iii. Signature and school on the outer envelope addressed to the chapter; and
    - iv. 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.
- d) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.
- e) The name on the official list should be marked to show that the voter has returned a ballot.
- f) **The outer envelopes** shall then be opened and put in a separate stack for safekeeping.
- g) All inner envelopes shall be placed in a separate container.
- h) All inner envelopes shall be opened and the ballots removed from the envelopes, stacked, and then counted.
- i) Refer to Section K for the "Counting of Ballots" procedure.

## **I. Electronic Voting**

Electronic voting is only permitted through the CTA Elections and Credentials Committee and CTA Board approval. See Requirements for Chapter Elections Procedures, Section VII.4., page 6 for requirements.

## **J. Vote Requirement**

All vote requirements shall be established in accordance with CTA guidelines. Unless otherwise specified, all elections shall be decided by majority vote. Write-in votes are valid and must be counted.

1. A majority vote means more than half of the legal votes cast for each office/position on the ballot.
2. A plurality vote means the largest number of votes to be given any candidate or issue.
3. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
4. For unit officers, the election will be by majority.

5. For State Council: The election will be by majority vote and will follow the requirements set forth in the CTA Elections Manual. As the unit is within a multiple unit electoral district, results must be sent to the Service Center Council Elections Committee, which counts and reports the results.
6. **If no candidate receives a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filed. There shall be no provisions for write-in candidates in run-off elections.**
7. For NEA Local Delegates, the election will be by majority or plurality vote, with the determination to be made in advance of the announcement of the election by the local. Results must be sent to the CTA Governance Support Department.
8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. An affiliate utilizing this provision must have adopted a standing rule allowing such a practice. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates, the election will be overseen by the Service Center Council. The local Elections Committee shall submit to the Service Center Council the official CTA/NEA state delegate election Teller's Report, ballots, Tally Sheets and signature sheets/rosters. The Service Center Council will forward the results to CTA.
10. For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.

#### **K. Counting Of Ballots**

1. The Elections Committee shall verify signature sheets with ballots received, count the ballots, which should be completed immediately following the deadline for receipt of voted ballots.
2. Each office/position on the ballot shall be treated as a separate race.
3. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
  - a. Member not listed on the voter roster;
  - b. Voter's intent unclear;
  - c. Votes cast for more than number allowed
  - d. Votes cast on unofficial ballot (probably reproduced);
  - e. Candidate is not a member.
4. Ballots set aside and not counted are:
  - a. More ballots than signatures;
  - b. Ballot(s) submitted after deadline;
  - c. Voting envelopes without a signature; and
  - d. Ballots that are separated from Roster/Sign-up sheet.
5. The Elections Committee should categorize each illegal ballot, make a determination of whether the vote(s) in that category should be counted separately, as listed in 4 above, and make a note of the decision. The ballots shall remain separate.
6. **The Elections Committee will prepare the Teller' Report, recoding information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.**
7. **The Chairperson of the Elections Chair will deliver the report of 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 shall be retained for one year after the election.

## **L. Observers**

1. Each candidate shall be allowed to have an observer, who may be the candidate, at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
2. An observer shall not interfere with the counting and shall stay in the counting area until the President and interested parties have been notified of the results. The observer must maintain the confidentiality of the election process.

## **M. Challenge Procedure**

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to NEA RA follow procedures in the *CTA Elections Manual*.
3. The challenging party(ies) must notify the unit president and elections chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the election. If the unit president is a candidate on the ballot, please see Section M. #5

The notification must be on the official CTA Challenge form (See Appendix M of CTA Elections Manual – may be accessed on my CTA)

4. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit's Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether or not the challenge:
  - a. Is a violation of the unit's election requirement(s).
  - b. Is supported by the appropriate documentation.
  - c. Requires more information. The information will be obtained via the most feasible method.
  - d. Identified violation(s) that may have affected the outcome of the election.
  - e. Within the same ten (10) calendar days, the unit's Elections Committee shall submit a written report including issues and recommendations to the Chapter President and the Executive Board.
5. Any member of the Executive Board who was a candidate in a race that is challenged, or whose immediate family member is such a candidate, shall abstain from voting on the report. If in the case where the majority of the Executive Board is unable to act on the challenge, the decision shall move to the next highest decision-making body according to the unit's governance documents.
6. The Executive Board shall act on the report no later than ten (10) calendar days following receipt of the written report of the Elections Committee in accordance with CTA Challenge Procedures as described in Appendix O – CTA Challenge Procedures – Local Elections of CTA Elections Manual. The Executive Board must issue its decisions in writing to the challenger and the Elections Committee Chair.
7. If the Executive Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described below by writing to the CTA President.
8. If the challenging party(ies) wish(es) to appeal the decision of the unit's governance body, s/he may file an appeal in writing 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 additionally shall include the local Elections Committee report and the Executive Board's decision.
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.

## **N. Initiative Procedures**

1. The active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
2. A member shall file a notice of 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) school days shall be permitted to obtain the signatures of at least 30% 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 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 school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

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

1. Any action or proposed action of the Representative Council or Executive Board shall be referred to a vote of the Active membership upon two-thirds vote of the referring body 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 referring body, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

#### **P. Recall Procedures**

1. The active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's Active members.
2. Any Active member desiring to recall a unit officer or other elected office holder must file a copy of a petition with the Elections Committee Chair before it can be circulated.
3. The petition must include the following information:
  - a. Name of individual who is the subject of the recall;
  - b. Office of the individual;

- c. Date of petition;
  - d. Name(s) of person(s) filing petition;
  - e. Notation that "each signature must be in ink"; and,
  - f. Space must be provided for the printed name, signature, work site and date of signing of each name on the petition.
4. Within fourteen (14) working days after receipt, the Elections Committee Chair shall determine whether the petition contains the necessary information.
  5. If the petition does not contain the necessary information, the Elections Committee Chair shall so notify the petitioner(s). (*See P.2 above*)
  6. If the petition contains the necessary information, the Elections Committee Chair shall inform the petitioner(s) of the rules, procedures and timeline (beginning date and deadline for gathering of signatures), and the need for *protection of due process rights of the parties*.
  7. The Elections Committee Chair shall send written notification of the unit officer whose recall is being proposed and shall also notify the other officers of the unit. A copy of the petition shall be enclosed.
  8. Monies from a unit's treasure or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, good will and credit, or in-kind services must not be used in the recall process.
  9. No unit may state or indicate its preference in the unit's newspaper, newsletter or communications to its members.
  10. The timeline for gathering of signatures will commence the day that the notice of intent is registered.
  11. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least twenty-five percent (25%) of the Active members of the chapter. If the person subject to the recall was not elected by the general membership, then the signature requirement is twenty-five percent (25%) of the members of the electing constituency.
  12. The signed petitions must be received by the Elections Committee Chair by the specific deadline date.
  13. The Elections Committee shall have ten (10) calendar days after receipt of the petition to verify signatures.
  14. If there are insufficient signatures, the Elections Committee Chair shall notify the petition circulator(s) by mail within five (5) calendar days of verifying the signatures that the petition failed or a lack of signatures.
  15. Immediately upon verification of the signatures, the Elections Committee Chair shall notify the president or designee of the fact that a recall has been initiated.
  16. The chapter president, or the chapter vice president if the chapter president is the person being recalled, shall cause a ballot to be furnished to Active members no less than twenty (20) calendar days after verification of signatures. The period that school is officially not in session shall not be included in this count.
  17. The elections must be concluded within fifteen (15) calendar days of distribution of ballots.
  18. The election must be conducted with provisions for a secret ballot and voter sign-up sheets
  19. The election shall be certified in accordance to the unit's bylaws.
  20. The Election Committee Chair will deliver the report to the president of the unit who will immediately notify all interested parties of the election results. The election results shall be posted at each work site as soon as possible following the election.



# RULES OF OPERATION

## POLITICAL ACTION COMMITTEE

- A. The Political Action Committee (TAL/PAC) is established for the following purposes:
1. To inform members of legislation, and positions of elected officials and candidates that may affect the members' classroom, working conditions, rights, and benefits.
  2. To serve as a funding structure to support or oppose Lancaster school board candidates as are deemed worthy of support (or opposition) from the standpoint of educational issues without regard to partisan consideration.
  3. It is the intent of TAL/PAC to work in a cooperative manner, rather than in isolation from other District employee groups, to support our schools in an effective way.
- B. Officers shall be a Chairperson, Treasurer, and such other officers as are deemed necessary by the TAL/PAC.
1. The Chairperson, Treasurer and all members will be appointed by the President of TAL with the approval of the Executive Board. Officers generally should reflect the racial, ethnic, gender, and geographic balance of the local association.
  2. The terms of office will be for the full term of the President of TAL. Officers may continue to serve as long as they keep the support of the Representative Council and wish to continue in their positions.
- C. Funding
1. Beginning \_\_\_\_\_, 201\_\_, TAL/PAC dues shall be \_\_\_\_\_ per member, per month, for a total of \_\_\_\_\_ annually unless a member submits an opt-out form. These monies will be segregated from the general membership account and placed in the TAL/PAC account.
  2. Amounts may be spent for any purpose that is deemed to be consistent with Article XIV Section A.1-A.3 and with approval of the Executive Board. These expenditures will be included in regular reports to the Executive Board and Representative Council.
  3. Funding may be used to support Lancaster School Board candidates recommended by TAL, following the procedures outlined in the following section of this article.
- D. Recommendation Procedures
1. TAL/PAC may only recommend a candidate for Lancaster School Board after a thorough and fair process in which all candidates known to TAL/PAC at the time of recommendation are given equal access to the committee through interviews, and a good faith effort is made to determine their positions on important issues facing education.
  2. At the discretion of TAL/PAC and the approval of the Executive Board, TAL/PAC may initiate an early recommendation process.
  3. Candidate recommendations are made by TAL/PAC committee, adopted by the Executive Board and ratified by the Representative Council.
  4. For Lancaster School Board elections that have a direct impact on other employee groups, TAL/PAC will make a good faith effort to establish ways of coordinating the recommendation process with other associations.

5. No funds or in-kind support may be provided to non-recommended candidates.
  6. TAL/PAC may issue letters or statements of recommendation for purposes of press releases or member education after approval of the Executive Board.
  7. TAL/PAC candidate recommendations are only valid for the election cycle in which the individual candidate has been interviewed.
  8. TAL/PAC reserves the right to withdraw a recommendation of a candidate if deemed necessary.
- E. Meetings will be called by the Chairperson when there is business to conduct. All committee members will be notified in advance of the meetings.

## **PEER ASSISTANCE AND REVIEW**

*[For further details, refer to the Agreement between Lancaster School District and Teachers Association of Lancaster]*

## **MEDIGAP TRUST**

The joint Medigap Board of Trustees consist of five (5) members. *[For further details, refer to Article XXI, Section 5 of the Agreement between Lancaster School District and Teachers Association of Lancaster and the Articles of Incorporation of the Medigap Trust]*

## **CATASTROPHIC LEAVE BANK**

The TAL Catastrophic Leave Bank should be administered by a three-member Catastrophic Leave Bank Committee appointed by the President of the Association *[For further details, refer to Appendix C of the Agreement between Lancaster School District and Teachers Association of Lancaster]*

## **GRIEVANCE PROCESSING**

Procedures for determining merit of claims and submission to arbitration to be established by Executive Board based on recommendations by Grievance Committee

## **FISCAL MATTERS**

### **1. Budget Preparation**

The Budget Committee shall prepare a working draft budget for the Representative Council. This budget shall reflect a projection of current program levels and all known or predictable cost increases. Each major division of the budget shall be accompanied by a brief description of the program and/or activities for which fund would be used.

### **2. Bonding**

Each officer of the Association who is entrusted with the receipt, safekeeping, or disbursement of funds of the Association shall be placed under a bond in such amount as the Representative Council may determine.

### **3. Delegates to Conference, Trainings or Special Meetings**

No person shall have authority to attend conventions or other professional meetings as an official delegate or representative of the Association unless such presentation has been approved by the Representative Council.

The Representative Council shall determine the extent to which any such delegate or representative shall receive reimbursement of expenses from the Association.

### **4. Reimbursement Policy**

#### **a. Travel:**

1)Plane: The most economical coach fare

2)Auto: The standard business mile rate as set by the Internal Revenue Service for transportation expenses. The mileage reimbursement will be calculated using the shortest highway route. Mileage reimbursement cannot exceed the cost of coach plane fare.

- b. **Lodging:** Half the cost of a double-occupancy hotel room. Those wishing a single room must pay the difference, except for extenuating circumstances, which must be approved in advance. Extenuating circumstances may include physically challenged or disability or other medical reasons.
- c. Personal charges such as laundry, valet, telephone calls, snacks, or entertainment are not reimbursable.
- d. A maximum of six dollars (\$6.00) per day for portage is reimbursable.
- e. **Meals:** Actual amounts paid including tax and tip, not to exceed \$70.00 for any one day will apply, except for days when meals are provided by CTA. Receipts are required for meals costing \$20.00 or more. Extra meals required by auto travel are not reimbursable.

## 5. Deadline for Filing Claims

All claims must be filed within thirty (30) days of the end of the month in which they are incurred. An additional thirty-day (30-day) period may be granted for extenuating circumstances set forth in a letter of explanation and filed with the claim. Claims filed more than sixty days later the end of the month in which they are incurred shall require approval by the Representative Council.

## 6. Relief Funds

When contemplating the establishment of a local relief or assistance fund to be utilized during a crisis situation, the chapter must establish internal operating procedures prior to soliciting and discussing of voluntary contributions from members and other interested parties.

## 7. Association Dues

- a. Association dues must be at least 30% of the previous year of CTA dues unless waived by the CTA Board of Directors. This decision is, in part, determined by the need to maintain an Arbitration Participation Fund.
- b. Per Article V, dues shall reflect the level of minimum operating standards as required by program needs in the Association's annual budget. Dues shall be \_\_\_\_\_ per member, per month, for a total of \_\_\_\_\_ annually for the \_\_\_\_\_ - \_\_\_\_\_ school year.
- c. After the beginning of any membership year, the dues of Active members who are enrolling for the first time may be prorated, provided enrolling by payroll deduction. The pro rata dues for the balance of a membership year may be automatically waived for enrollments taking place on and after April 1<sup>st</sup>, where it is not possible to obtain payroll deductions during that year, provided the member agrees to retain membership for the following school year.

## 8. Political Action Funds

TAL/PAC dues shall be \_\_\_\_\_ per member, per month, for a total of \_\_\_\_\_ annually unless a member submits an opt-out form. These monies will be segregated from the general membership account and placed in the TAL/PAC account.

# GOVERNANCE

- 1. The chapter shall apply the one-person, one-vote principle for representation on its governing bodies except that the chapter shall guarantee ethnic-minority representation at least proportionate to its ethnic-minority membership.
- 2. The chapter shall submit current governance documents and other requested evidence of compliance with chartering standards no less frequently than every five (5) years, beginning in 2011.

3. Upon receipt of a complaint or inquiry by a chapter member alleging or concerning possible inaccuracies, discrepancies, misuse or misconduct with respect to chapter finances, funds and/or property, CTA Executive Officers shall have authority to designate a representative to take charge of and audit all financial books, records, and accounts of said chapter and/or may employ a certified public accountant to audit same.
4. The report and findings of the representative or the certified public accountant shall be filed with the chapter president and the CTA President and made available to the unit membership.

**5. Committees**

- a. Standing Committees for 2011-2012 shall be:
  - 1) TALC
  - 2) Bargaining
  - 3) Grievance
  - 4) Political Action
  - 5) Budget
  - 6) Organizing
  - 7) Elections
- b. Ad-Hoc Committees for 2011-2012 shall be:
  - 1) Bylaws
  - 2) Membership
  - 3) W.H.O.

**6. Stipends**

- a. President
  - 1) A stipend of \_\_\_\_\_ per month.
  - 2) Reimbursement for mileage when travelling to school sites
- b. **Vice-President** - A stipend of \_\_\_\_\_ per month.
- c. Treasurer - A stipend of \_\_\_\_\_ per month.
- d. Recording Secretary - A stipend of \_\_\_\_\_ per month.
- e. Corresponding Secretary - A stipend of \_\_\_\_\_ per month.
- f. **Bargaining Committee Chair** - A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- g. Bargaining Committee Members shall receive a stipend of \_\_\_\_\_ for official meetings attended
- h. Grievance Committee Chair- A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- i. Grievance Committee Members- A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- j. Membership Chair- A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- k. Elections Chair- A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- l. Political Action Committee Chair- A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- m. Newsletter Coordinator- A stipend of \_\_\_\_\_ per month.
- n. Event Coordinator- A stipend of \_\_\_\_\_ payable \_\_\_\_\_
- o. Member-at-Large shall receive a stipend of \_\_\_\_\_ for official meetings attended

**p. Site Representatives**

- a. A stipend of \_\_\_\_ for attending each meeting of the Representative Council.

### **Chapter W.H.O. Awards**

The chapter shall open nominations to honor individual members for outstanding contributions to education, the profession, and the Teachers' Association of Lancaster. A committee appointed by the chapter president will consider all nominations submitted by the published deadline.