

## BYLAWS

### Fairfield-Suisun Unified Teachers Association/CTA/NEA

#### I. Name and Affiliation

- A. This organization has been established by a written Articles of Incorporation in the county of Solano, state of California, and is hereinafter known as Fairfield-Suisun Unified Teachers Association/CTA/NEA.
- B. The Fairfield-Suisun Unified Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).
- C. The Fairfield-Suisun Unified Teachers Association shall be an affiliated local Association of the National Education Association (NEA).

#### II. Purposes:

The primary purposes 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 and to speak with authority for members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To serve as the vehicle through which the membership can develop written policies and legislation goals for the best possible conditions of educational service and program within the Fairfield-Suisun Unified School District;
- E. To promote professional attitudes and ethical conduct among members;
- F. To provide a means of representation for its ethnic-minority members;
- G. Rights, privileges and representation shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin, or sexual orientations.
- H. To encourage cooperation and communication among the profession, District management/Board of Trustees, and the community;
- I. To foster good fellowship among members; and
- J. To raise the standards for Educational Support Professionals.

#### III. Members

- A. Categories of Membership. There shall be two categories of membership; Active and Associate

##### 1. Eligibility

- a. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional education work, is an employee of the Fairfield-Suisun Unified School District, and whose primary assignment is such as not to hold evaluatory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit.
- b. Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for Active membership in the Association, or excluded by III.1.c below. Persons whose eligibility for Active membership have been withdrawn because of holding a supervisory position or upon retirement may be enrolled as Associate members in accordance with policies adopted by the Representative Council. Rights and privileges in such cases shall be

limited to continuance of economic benefit and insurance programs previously held as Active members.

- c. 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.

2. Membership

- a. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues appropriate to the class of membership.
- b. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- c. All Active members shall be eligible to vote in all elections, hold elective office or appointive positions, receive special services, to obtain assistance in the protection of professional and civil rights, and to receive reports and publications of the Association.
- d. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- e. Active members shall adhere to The Code of Ethics of the Education Profession.
- f. No Active member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.
- g. The membership year shall be that period from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.
- h. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

IV. 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 active membership of the Association at the last regular meeting of the school year.
- C. The Association shall apportion any negotiated representation fee on the same percentage basis as the full Association/CTA/NEA dues.
- D. 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 arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

V. Disciplinary Action

- A. Discipline shall be limited to an action by a member that is contrary to or undermines a primary purpose of the Association as stated or implied in Article II of these Bylaws.
- B. No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.
- C. The Executive Board shall preside at a due process hearing; the Representative Council shall preside at an appellate hearing.
- D. Due process shall be defined as the opportunity for the accused party to be heard, to be informed of the matter, to choose to acquiesce or contest, and to assert the reasons for such choice.

- E. By a 2/3 vote by secret ballot, the Executive Board may set a discipline up to and including the revocation of membership in the Association for the remainder of the work year and two (2) additional years.
- F. On appeal within twenty (20) workdays, and by a 2/3 vote by secret ballot, the Representative Council shall confirm the decision of the Executive Board or shall set a discipline up to and including the revocation of membership in the Association for the remainder of the work year and two (2) additional years. The decision of the Representative Council shall be final.
- G. By a majority vote, the Representative Council may direct the Executive Board to conduct a due process disciplinary hearing regarding an action of a member that is alleged to be contrary to or undermines a primary purpose or purpose of the Association as stated in Article II of these Bylaws.

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. Faculty Representatives elected on the basis of one-person, one-vote;
  - 3. Committee Chairs (ex-officio, non-voting unless otherwise authorized);
- 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 twenty percent (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 (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. Members of the Representative Council shall serve a term of one (1) 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. Faculty/Site/Site Unit Representatives

- A. Faculty/Site/Site Unit 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. Each faculty/site/site unit shall be entitled to at least one representative and shall have one representative for each 20 Active members on the faculty, or major fraction thereof.

- C. Active members who are not represented through individual school faculty groups shall be counted as a special faculty/site/site unit group entitled to the same representation by the Representative Council as individual school faculty groups.
- D. Vacancies: Vacancies in the office of Representative due to any cause may be filled by properly elected replacements.
- E. Faculty/Site/Site Unit 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 members;
  - 3. Represent the views and input of the Active membership of the faculty 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.
- F. A Faculty/Site/Site Unit Representative may not conduct an election in which he/she is a candidate.
- G. Alternate Faculty Representatives shall be elected by and from the active members of each faculty group as necessary to serve as a replacement in case of absence or incapacity of the regular incumbent for any reason. In case no Alternate Representative is available to fill a vacancy then an election by the members of the faculty group shall occur within thirty (30) days to fill the vacancy.
- H. A disciplinary notice of "failure to satisfactorily perform the duties of the position" may be issued to any Faculty Representative by the President, Executive Board, or site based on criteria set up in the duties section for Faculty/Site/Site Unit Representative.
  - 1. A statement of the reason(s) for the disciplinary notice shall be part of the notice.
  - 2. The notice may be initiated and served by any of the listed parties or methods:
    - a. The President with the majority approval of the Executive Board;
    - b. A two-thirds (2/3) vote of the Executive Board
    - c. A two-thirds (2/3) vote of the Representative Council;
    - d. A two thirds (2/3) vote of the represented faculty group.
  - 3. If the above vote does not meet the required amount of votes, then the disciplinary notice dies and cannot be revived for same charge at any of the other levels or venues.

#### VIII. Officers

- A. The officers of the Association shall be President, a Vice-President, a Recording Secretary, a Corresponding Secretary, and a 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. The President and Vice President shall be elected for a term of two years, commencing on June 1 of any odd-numbered calendar year. The Recording Secretary, Corresponding Secretary, and the Treasurer shall be elected for a term of two years, commencing on June 1 of any even-numbered 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. 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 with the approval of the Executive Board by the beginning of each school year;
  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, 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; Attend other CTA/NEA meetings as directed by the Representative Council; and
  11. Attend all regularly scheduled public meetings of the Fairfield-Suisun Unified School District School Board or shall assign a designee to attend in his/her stead.
- G. 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; and
  4. Serve as coordinator of committee activities at the direction of the President.
- H. The Recording 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. Keep a careful and accurate record of attendance at each meeting, regular or special, of the Representative Council and the Executive Board;
  3. Record the cause for absence of a member of the Executive Board from a scheduled meeting of the Executive Board;
  4. Supervise the membership chairperson's keeping of an accurate roster of the membership of the Association and of all committees.
  5. In the absence of the Recording Secretary, the President or designee shall appoint a temporary Recording Secretary from the members of the quorum.
- I. The Corresponding Secretary shall:
1. Carry on the correspondence pertaining to the affairs of the Association as directed by the President, and any other duties as requested; and
  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 members when appropriate.
- 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. Provide 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; and
  5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.
- K. A disciplinary notice of "failure to satisfactorily perform the duties of the office," as defined in the duties of the office, may be issued to any officer. A disciplinary notice may be initiated by any member of the Representative Council with support from five (5) other members, any member of the Executive Board, or the President.
1. A statement of the reason(s) for the disciplinary notice shall be part of the notice.
  2. The notice will be served only with support from one of the following methods:
    - a. The President with the majority approval of the Executive Board;
    - b. A two-thirds (2/3) vote of the Executive Board
    - c. A two-thirds (2/3) vote of the Representative Council;
  3. If the above vote does not meet the required amount of votes, then the disciplinary notice dies and cannot be revived for the same charge at any other level or venue.
  4. This disciplinary notice may only be initiated once and if defeated at any level, ends the notice and process.
  5. This is not to be confused with the recall process, which is under its own rules.
- IX. Executive Board
- A. The Executive Board shall be composed of the elected officers, and eight members elected at large from the Active membership, as long as this complies with the "one person-one vote" rule. No member may hold two positions.
  - B. The at-large members of the Executive Board shall be elected with open nominations and secret ballot for a term of two (2) years, commencing on June 1 of any calendar year. One-half (1/2) of the Members-at-large shall be elected in a general election in May of each of each odd-numbered year and shall take office on June 1 following the election. The remaining Members-at-large shall be elected in a general election in May of each even-numbered year and shall take office on June 1 following the election.
  - C. 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.
  - D. The Executive Board shall meet prior to 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.
  - E. 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 of the Association, subject to policies established 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 members, including chairpersons;
  7. Adopt the Standing Rules for the Association;
  8. Adopt grievance procedure;
  9. Direct the grievance activities of the Association;
  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;
  11. Declare a "crisis situation" with the majority approval of the Representative Council; and
  12. Spend unbudgeted funds to a limit of \$2,500 per project.
- F. If, during the course of a year, an Executive Board member shall miss two regular monthly meetings without an excuse, the validity of which shall be determined by a two-thirds (2/3) vote of the Executive Board, that member's seat shall become vacant.
  - G. A leave of absence of specified duration may be granted to a member of the Executive Board by a (2/3) vote of the Executive Board.
  - H. A quorum for all meetings of the Executive board shall consist of a majority of the elected members of that body.
- X. Elected Local State Council Representatives
- A. Attend all Redwood and State Council meetings;
  - B. Be responsible to report to the Executive Board and Rep. Council; and
  - C. If during the course of the year, a State Council Representative shall miss two regular Redwood or State Council meetings without an excuse, the validity of which shall be determined by a two-thirds (2/3) vote of the Executive Board, that representative's seat shall become vacant.
- XI. Meetings of the General Membership:
- A. Meetings of the Association may be called by the President, the Executive Board, or by written petition by 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 three (3) workdays prior to the meeting except during crisis situations.
  - C. A quorum for meetings of the Association shall be a majority of the Active Membership.
  - D. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places, and times.
  - E. A majority of all ballots cast by those in attendance shall be required for decision-making at a meeting of the general membership except in the case of a contract ratification informational meeting. No proxy votes shall be allowed. The Elections Committee of the Association shall conduct the vote, tally the ballots and announce the results.
  - F. Contract ratification informational meetings shall be called by a majority of the Executive Board.
    1. Written information regarding proposed changes to the preceding or existing contract shall be provided to individual unit members three (3) workdays prior to the meeting date.
    2. A vote on the terms of the contract shall commence on (1) workday after the meeting and shall conclude within five (5) workdays of the meeting. The Elections committee of the Association shall conduct the vote, tally the ballots, and announce the results.
    3. No proxy votes shall be allowed.

## XI. 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. Bargaining Team
  - 1. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
  - 2. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
  - 3. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
  - 4. The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
  - 5. The Bargaining shall be under the direction of the Executive Board, and shall report its activities to the Executive Board, as the Board requires.
  - 6. The Bargaining Team is empowered to reach tentative agreements with the District subject to the ratification by the Active membership.
  - 7. 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.
  - 8. 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 the Representative Council in that unit.
  - 9. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
  - 10. 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 in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that Active membership.
- C. Grievance Committee
  - 1. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
  - 2. The President shall appoint, with the majority approval of the Executive Board, members of the Grievance Committee to carry out the procedures for grievance processing.
  - 3. Vacancies created for any reason may be filled by an appointment by the President with the majority approval of the Executive Board.
  - 4. Grievance Committee procedures shall include, but not be limited to, the following:
    - a. Providing for representation to assist all members of the bargaining unit in processing grievances;
    - b. Training for handling grievances;
    - c. Evaluation of the Association's grievance policies and procedures; and
    - d. Keeping the Executive Board fully informed regarding the operation of the grievance program and making recommendations to the Executive Board regarding submission of any grievance to arbitration as indicated below:
  - 5. Whenever a grievance filed by the Association is to be considered for arbitration, the following shall apply:

- a. The Grievance committee shall meet to make a recommendation to the Executive Board as to whether a grievance shall be taken to arbitration. The grievant(s) shall be given an opportunity to meet with the Grievance Committee for giving input before the Grievance Committee's vote on its recommendation.
  - b. The Executive Board shall meet to act on the Grievance Committee's recommendation as to whether a grievance shall be taken to arbitration. The grievant(s) shall be given an opportunity to meet with the Executive Board for giving input before the Executive Board's vote on whether or not a grievance shall be taken to arbitration. The decision of the Executive Board shall be final.
6. Whenever a grievance filed by the Association is to be considered for arbitration, then by order of the President or the Executive Board, the grievance may be directly submitted to the Executive Board for an arbitration decision.
  7. In deciding whether a grievance shall be taken to arbitration, the Grievance committee and/or Executive Board actions shall be guided by the following criteria:
    - a. The facts of the case and contract interpretations that may dictate whether the case can be won;
    - b. The impact of either a favorable or adverse arbitration decision on the entire bargaining unit;
    - c. Reasonable offers of a fair settlement to the grievance presented to the Association;
    - d. The cost of the arbitration. Cost shall not be the sole criterion.
- D. Political Action Committee
1. The President shall appoint, with the majority approval of the Executive Board, members of the Political Action Committee to organize and inform the membership regarding legislative issues and to pursue political ends.
  2. Vacancies created for any reason may be filled by an appointment by the President with the majority approval of the Executive Board.
  3. The Political Action Committee shall regularly report activities and initiate policies subject to the majority approval of the Executive Board.
  4. Political policies shall require the majority approval of the Representative Council.
- E. Elections Committee
1. The President shall appoint, with the majority approval of the Executive Board, members of the Elections Committee.
  2. Members of the Election Committee shall supervise the voting operations of the Association's general elections, special selections, the recall of Faculty Representatives, and to provide adequate controls over the form, distribution, return, counting, and disposition of ballots.
  3. The Elections committee shall be composed of at least three members who are not on the Executive Board. Members of the Elections Committee cannot serve on the Executive Board.
  4. Members of the Executive Board cannot serve on the Elections Committee.
  5. A member shall abstain from participation in Elections Committee activities during the period in which she/he or her/his immediate family member is a candidate.

6. Vacancies created for any reason may be filled by an appointment by the President with the majority approval of the Executive Board.
  7. The Election Committee shall serve as tellers (vote counters) for the Association.
  8. In the case of any recall, the Election Committee shall tally and verify the recall petition(s) to determine compliance with recall requirements.
- F. Organizing Committee
1. The President shall appoint, with the majority approval of the Executive Board, members of the Organizing Committee to carry out the procedures for facilitating communication and participation throughout the Association.
  2. Vacancies created for any reason may be filled by an appointment by the President with the majority approval of the Executive Board.
  3. During crisis situations, and with the majority approval of the Executive Board, the Organizing Committee shall plan and execute events, actions, and activities in response to the demands of the crisis.
- G. Budget Committee
1. The President shall appoint, with majority approval of the Executive Board, members of the Budget committee to monitor budget expenditures, prepare a budget for presentation to the Representative Council, and to arrange for a yearly audit of Association accounts.
  2. Vacancies created for any reason may be filled by an appointment by the President with the majority approval of the Executive Board.
  3. The fiscal year shall be defined as the period of time between September 1 and the following August 31.
- H. Minority Affairs Committee
1. The President shall appoint, with the majority approval of the Executive Board, members of the Minority Affairs Committee to promote diversity within Fairfield-Suisun, dialogue with local minority leaders and identify and develop new leadership.
  2. The Committee shall select and submit the name of its prospective Chair to the President and Executive Board, from among its members.
- I. Special (Ad hoc) Committees
1. A special committee may be established by any of the following methods:
    - a. The President may establish a special committee and assign members thereto, with the majority approval of the Executive Board, to carry out a single function.
    - b. The Executive Board, by a majority vote, may establish a special committee and assign members thereto, with the majority approval of the Representative Council, to carry out a single function.
    - c. The Representative Council, by a majority vote, may establish a special committee and assign members thereto to carry out a single function.
  2. A special committee shall be authorized for a specified time not to exceed six (6) months.

3. The body that established the special committee may discontinue the committee and may add or remove members subject to the conditions under which the committee was created.
- J. Collective Bargaining Agreement Committees
1. Committees authorized by the Collective Bargaining Agreement shall be established and staffed by the President with the majority approval of the Executive Board.
  2. Vacancies created for any reason may be filled by an appointment by the President with the majority approval of the Executive Board.
  3. Committees authorized by the Collective Bargaining Agreement shall stand for the duration of that authorization.
- K. A member of a committee, either standing or special, shall serve at the discretion of the authority and/or body that created the committee and assigned members thereto.
- L. Each Committee shall submit periodic reports to the Executive Board and/or Representative Council as appropriate.
- M. Each committee shall submit periodic and timely written information to the Vice President regarding the activities of the committee. The information shall include an agenda prior to a meeting and minutes of the meeting.

### XIII. Nominations and Elections

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

- A. There shall be an 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 and casting ballots; and
  5. Majority vote, unless otherwise specified.
- C. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines.
- F. The duties of the Elections Committee shall be to:
  1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
  2. Establish election timelines;
  3. Develop and carry out timelines and procedures;
  4. Prepare ballots for election of officers and such other elections as may be necessary;
  5. Count the ballots and certify the results; and
  6. Handle initial challenges.

- XIV. Parliamentary Authority  
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:  
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.

### **F-SUTA Standing Rules**

#### **I. 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 should be composed of at least three members who are not on the Executive Board, who are familiar with the unit operations, and who are not seeking election.
  4. The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.
  5. Any Association member who is either a candidate on the ballot or whose immediate family member is a candidate shall abstain from all election committee activities on that particular ballot.
- B. Election Requirements
1. The chapter shall ensure that an open nomination procedure is in place. Any member may nominate any member, including himself or herself. The only qualification for office shall be Active membership in the chapter.
  2. Every Active member shall be assured of voting by secret ballot.
  3. There shall be at least a fifteen (15) calendar day period between notice of election and the actual voting.
  4. There shall be an all Active member vote. A member who is off-track or on dues paying leave shall be sent election information by mail to his/her last known residence.
  5. A chapter shall provide means for all Active members to vote (including vote by mail), and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly schedule voting place.
  6. An Active member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot.

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

- C. Announcement
  - 1. The announcement of election shall include the offices, length of terms, and the election timeline.
  - 2. The announcement shall be publicized in a manner that ensures every member has an opportunity to file a declaration of candidacy.
- D. Timeline
  - 1. Schools/Work sites on alternative calendars shall be considered when setting election timelines.
  - 2. The timeline for the election shall include dates for:
    - a. Announcement of vacancy(ies) and term(s) of office using a method that will ensure each member is aware of the opportunity to file a declaration of candidacy;
    - b. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;
    - c. Place, time and date of receipt (date received, not post-marked date) for declaration of candidacy forms;
    - d. Final date to acknowledge candidates' declaration of candidacy;
    - e. Date for preparation of ballots;
    - f. Date on which ballots will be distributed;
    - g. Date by which to request a ballot;
    - h. Date(s) when voting will take place;
    - i. Deadline date (date received, not post-marked date), time and place for return of ballots;
    - j. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots;
    - k. Date that announcement of results shall be made to leadership, candidates, members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots;
    - l. Dates and timelines for run-off election, if necessary; and,
    - m. Deadline for filing of challenges to initial election and run-off if held (date received, not post-marked date).
- E. Finances and Use of Unit Resources
  - 1. Chapter monies received through dues, assessment or similar levy shall not be used to promote any candidate.
  - 2. A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.
  - 3. A unit may not state or indicate its preference for a candidate in the unit's publications.
  - 4. The use of links to any Association web site by a candidate is prohibited.
  - 5. The Association shall not make available personal emails to candidates.
  - 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.
  - 8. Candidates cannot campaign on any chapter, Service Center Council, UniServ or district-created social networking site.

F. Candidate's Rights

1. Privileges extended to one candidate shall be extended to all candidates.
2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
3. Each candidate shall have the right to a list of the name and address of work sites and the number of Active members at each site for the purposes of campaigning.

G. Ballot

1. The names of the candidates shall be printed on the ballot in CTA alphabetical order. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot. In the event that the last name of more than one candidate begins with the same letter or more than one candidate has the same last name, the CTA alphabetical order shall continue to be applied throughout the name including the first name.
2. The ballot shall state the name of the office/position, the term, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.

H. Distribution of Ballots and Methods of voting

1. Each method of voting must be included in your standing rules in order for your bylaws and standing rules to be in compliance with CTA.
2. Each member shall receive a ballot. Active members who are off-track or on a dues-paying leave shall be notified by mail in order to provide them an opportunity to vote.
3. Voting shall be by one or a combination of the following methods:

a. At School/Work Site/Specified Voting Site

(1) On Site Voting-Using Ballot Box

If a Site Representative is a candidate, refer to A Elections Committees

- (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 of the official list shall be marked to show that the voter has returned a ballot.
  - (d) The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
  - (e) All inner envelopes shall be placed in a separate receptacle.
  - (f) The inner envelopes shall be slit and the ballots removed from the envelopes stacked and then counted.
  - (g) Refer to section K for the “counting of Ballots” procedure.
- b. Voting By Mail
- Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:
- (1) A list of current Active members shall be prepared, which includes the following: names, school/work and home address.
  - (2) A determination shall be made prior to the election whether the ballots shall be sent to the school/work site or to the home or the member.
  - (3) Each voter shall be provided with:
    - (a) A ballot;
    - (b) Instructions on:
      - (1) Folding and placing of the ballot in the unsigned inner envelope;
      - (2) Placing of the unsigned inner envelope into the outer envelope;
      - (3) Signature and school on the outer envelope addressed to the chapter; and
      - (4) Deadline date for receipt of the voted ballot at the chapter office.
    - (c) A small envelope (inner envelope) in which to place the voted ballot;
    - (d) A larger (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.
  - (4) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.
  - (5) The name on the official list should be marked to show that the voter has returned a ballot.
  - (6) The outer envelopes shall then be opened and put in a separate stack for safekeeping.
  - (7) All inner envelopes shall be placed in a separate container.
  - (8) All inner envelopes shall be opened and the ballots removed from the envelopes, stacked, and then counted.
  - (9) Refer to section K for the “Counting of Ballots” procedure.

I. Electronic Voting

Electronic voting is only permitted through the CTA Elections and Credentials Committee and CTA Board approval.

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.
  - a. The unit is a single electoral district, the election for State Council Representative will be counted and reported by the chapter Elections Committee.
6. If no candidate receives a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. There shall be no provisions for write-in candidates in run-off elections.
7. For NEA Local Delegates, the election will be by majority or plurality vote, with the determination to be made in advance of the announcement of the election by the local. Results must be sent to the CTA Governance Support Department.
8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. An affiliate utilizing this provision must have adopted a governing provision or election policy allowing such a practice. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates, the election will be overseen by the Service Center Council. The Service Center Council will forward the results to CTA. 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.
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 and 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 signature;
  - b. Ballot(s) received 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 should remain separate.
  6. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast; the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.
  7. The Chairperson of the Elections Committee will deliver the report of the election results to the president and interested parties. The election results shall be posted at each work site as soon as possible following the election.
  8. The ballots and voter sign-up sheets should be retained by the unit for one year after the election.
- L. Observers
1. Each candidate shall be allowed to have one observer, who may be the candidate, at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
  2. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results and has notified each candidate of the results. The observer must maintain the confidentiality of the election process.
- M. Challenge Procedures
1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
  2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to NEA-RA follow procedures in the CTA Elections Manual.
  3. The challenging party(ies) must notify the unit president and elections chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the election. If the unit president is a candidate on the ballot, please see item number 5. The notification must be on the official CTA Challenge Form found in the CTA Elections Manual or may be accessed on MyCTA.
  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 requirements(s)
    - b. Is supported by the appropriate documents.
    - c. Requires more information. The information will be obtained via the most feasible method.
    - d. Identified violation(s) that may have affected the outcome of the election.

- e. Within the same ten (10) calendar day period, the unit's Elections Committee shall submit a written report including issues and recommendations to the Chapter President and the Executive Board.
  5. Any member of the Executive Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. If in the case where the majority of the 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 decision 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, he/she may file an appeal in writing within ten (10) calendar days from the date of the decision of the governance body to the CTA President. The appeal shall be the original challenge filed at the unit level, and shall include:
    - a. Specifically which unit bylaw(s) and /or standing rule(s) have been violated.
    - b. Attached evidence of the violations, insofar as possible.
    - c. List names and address of parties who can give evidence.
    - d. Written response of unit's governance body to original challenge.
  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 decision on any matters affecting the Association or its activities through the initiative process.
  2. An Active member shall file a notice of the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed measure and responsible for its circulation.
  3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
  4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60%) or more of the Active members of the chapter. The petition shall contain the question proposed to be place on the ballot.
  5. The circulators shall present to the chapter president the petition(s) containing original signatures.
  6. The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
  7. If there are insufficient signatures, the petition circulator will be notified within three (3) calendar days, that the petition failed for a lack of signatures.
  8. The chapter president shall cause a ballot to be furnished to the members not less than fifteen (15) calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.

9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
  10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.
- O. Referendum Procedures
1. Any action or proposed action of the Representative Board or the Executive Board shall be referred to a vote of the Active membership upon two-thirds (2/3) vote of the Representative Council at any valid meeting.
  2. The referendum action shall prescribe the exact working 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 not less than fifteen (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(s) desiring to recall a unit officer or other elected office holder must file a copy of a petition with the chairperson of the Elections Committee before it can be circulated.
  3. The petition must include the following information:
    - a. Name of individual who is the subject of the recall;
    - b. Office of individual;
    - c. Date of petition;
    - d. Name(s) of person(s) filing petition;
    - e. Notation that "Each signature must be in ink"; and,
    - f. Space must be provided for the printed name, signature, work site and date of signing for each name on the petition.
  4. Within Fourteen (14) working days after receipt, the chairperson of the Elections Committee shall determine whether the petition contains the necessary information.
    - a. If the petition does not contain the necessary information, the Chairperson of the Elections Committee shall so notify the petitioner(s). (See number two (2) above).
    - b. If the petition contains the necessary information, the Chairperson of the Elections Committee shall inform the petitioner(s) of the rules, procedures and timeline (beginning date and deadline for gathering of signatures), and the need for protection of due process rights of the parties.
    - c. The Chairperson of the Elections Committee shall send written notification to the unit officers whose recall is being proposed and shall also notify the other officers of the unit. A copy of the petition shall be enclosed.
  5. Monies from a unit's treasury or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, good will and credit, or in-kind services must not be used in the recall process.
  6. No unit may state or indicate its preference in the unit's newspaper, newsletter, or communications to its members.

7. The timeline of gathering of signatures will commence the day that the notice of intent is registered.
8. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least twenty-five percent (25%) of the Active members of the chapter. If the person subject to recall was not elected by the general membership, then the signature requirement is twenty-five percent (25%) OF THE MEMBERS OF THE ELECTING CONSTITUENCY.
9. The signed petitions must be received by the chairperson of the Elections Committee by the specified deadline date.
10. The Elections committee shall have ten (10) calendar days after receipt of the petition to verify signatures.
11. If there are insufficient signatures, the chairperson of the Elections Committee shall notify the petition circulator(s) by mail within five (5) calendar days of verifying the signatures that the petition failed for a lack of signatures.
12. Immediately upon verification of the signatures, the chairperson of the Elections Committee shall notify the president/designee of the fact that a recall has been initiated.
13. The chapter president, or the chapter vice president If the chapter president is the person being recalled, shall cause a ballot to be furnished to Active members not less than twenty (20) calendar days after verification of signatures. The period that school is officially not in session shall not be included in this count.
14. The election must be concluded within fifteen (15) calendar days of distribution of the ballots.
15. The election must be conducted with provisions for a secret ballot and voter sign-up sheets.
16. The election shall be certified in accordance to the unit's bylaws.
17. The Chairperson of the elections committee will deliver the report to the president of the unit who will immediately notify all interested parties of the election results. The election results shall be posted at each work site as soon as possible following the election.

Q. Meetings

1. General Membership
  - a. A vote to ratify contract provisions shall be held at a high school site, a middle school site, and an elementary site on separate days as directed by the Executive Board.
2. Representative Council
  - a. Elections of the faculty group site representative(s) and alternates for the ensuing school year shall be held in April/May of each year.

