

D. NOMINATIONS AND ELECTIONS

Executive Board Elections

The chapter shall follow, and members are entitled to the rights contained in the CTA Requirements for Chapter Election Procedures published annually with the CTA Elections Manual. The chapter president must provide Active members an opportunity to vote in all elections.

Chapter presidents do not have the option of deciding whether an election shall be held.

1) Elected Positions

- a) The elected Executive Board shall be composed of the following voting members:
 - i) Officers: President, Vice-President, Secretary, and Treasurer. Officers shall be elected for a term of two (2) years, commencing on July 1 of the given calendar year.
 - ii) Area Representatives elected At-Large to represent the needs of
 - (1) General Education Teacher groups:
 - (a) Elementary (2)
 - (b) Middle School (1)
 - (c) High School (2)
 - (2) Position Specialist groups (2):
 - (a) Special Education Area Representative
 - i. Special Education Special Day Class Teachers & Special Education Professionals
 - i. Special Day Class (SDC): Preschool, Emotionally Disturbed, Non-Severe, Severely Handicapped, Adaptive PE
 - ii. Behavioral Analyst/Behavioral Health Support Specialist
 - iii. Student Assistance Program Facilitator
 - (ii) Resource Specialists
 - (b) Support Services Area Representative
 - (i) Student Support Services (SSS) Specialist
 - a. Counselors
 - b. LCAP High School Counseling Specialists
 - c. LCAP Middle School Counseling Specialists
 - d. School Social Workers
 - e. Licensed Clinical Social Workers
 - f. Lead Nurse
 - g. Student Nurses
 - (ii) Psychologists
 - (iii) Speech and Language Pathologist
 - (iv) Academic Specialist
 - a. Family Engagement Specialist
 - b. LCAP K-5 Intervention Literacy Specialist
 - c. LCAP Language Arts Specialist
 - d. LCAP Supplemental Math Specialist
 - e. LCAP Intervention Support Specialist
 - f. LCAP Supplemental Support Specialist
 - g. K-12 Math Specialist
 - h. Elementary Intervention Specialist
 - i. Supplemental Instruction Specialist
 - j. Educational Coach
 - k. INSTRUCTIONAL COACH TK-12 TEACHER VIRTUAL SPECIALIZED ACADEMIC

- (3) Each Area Representative will support a ratio of 1 to every 275 members within that designated area (Elections must comply with the one-person one-vote rule).
- (4) Area Representatives shall be elected for a term of two (2) years, commencing on July 1 of the given calendar year.
- iii) Membership Coordinator shall be elected for a term of two (2) years, commencing on July 1 of the given calendar year.

2) Election Years

- a) The positions of Treasurer, Secretary, One (1) Elementary Area Representative, Middle School Area Representative, One (1) High School Area Representative, Special Education Area Representative and the will be voted on for their two (2) Year term during the odd years.
- b) The positions of President, Vice President, One (1) Elementary Area Representative, One (1) High School Area Representative and Support Services Area Representative and the Membership Coordinator will be voted on for their two (2) Year term during the even years.

3) Elections Committee

- a) There shall be an appointed Elections Committee.
 - i) The Elections Committee and Chairperson shall be appointed by the president and approved by the Leadership Council to which it is responsible at the beginning of each school year.
 - ii) The Committee shall be composed of at least three members who are not on the Executive Board, who are familiar with the unit operations, and who are not seeking election.
 - iii) The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.
 - iv) 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.
 - v) CTA, TVEA, and NEA elections will be conducted on separate ballots.

4) Elections Requirements

- a) Elections shall be conducted with:
 - i) Open nomination procedure;
 - ii) Secret ballot;
 - iii) All Active member vote;
 - iv) Record of voters receiving or casting ballots; and
 - v) Majority vote, unless otherwise specified.
- b) 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.
- c) NEA State Delegate elections shall be conducted in accordance with CTA guidelines
- d) NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines
- e) There shall be at least a fifteen (15) day period between notice of election and the actual voting.
- f) 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 she or he desires a ballot at a site other than the regularly scheduled voting place.
- g) An Active member shall acknowledge receipt of a ballot by printed name and signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot.

5) Election Committee Duties

- a) The duties of the Elections Committee shall be to:
 - i) Ensure that all TVEA/CTA/NEA election codes and timelines are followed;
 - ii) Establish election timelines;

- iii) Develop and carry out timelines and procedures;
- iv) Prepare ballots for election of officers and such other elections as may be necessary;
- v) Count the ballots and certify the results; and
- vi) Handle initial challenges.

6) Announcement

- a) The announcement of election shall include the offices, length of terms, and the election timeline.
- b) The announcement shall be publicized in a manner that ensures every member has an opportunity to file a declaration of candidacy.

7) Timeline

- a) Schools/Work sites on alternative calendars shall be considered when setting election timelines.
- b) The timeline for the election shall include dates for:
 - i) 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.
 - ii) At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election.
 - iii) Place, time and date of receipt (date received, not postmarked date) for declaration of candidacy forms.
 - iv) Final date to acknowledge candidates' declaration of candidacy.
 - v) Date for preparation of ballots.
 - vi) Date on which ballots will be distributed.
 - vii) Date by which to request a ballot.
 - viii) Date(s) when voting will take place.
 - ix) Deadline date (date received, not postmarked date), time and place for return of ballots.
 - x) Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots.
 - xi) Date that announcement of results will be made to leadership, candidates, members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots.
 - xii) Dates and timelines for run-off election, if necessary; and,
 - xiii) Deadline for filing of challenges (date received, not postmarked date).

8) Finances and Use of Unit Resources

- a) Chapter monies received through dues, assessments or similar levies shall not be used to promote any candidate.
- b) 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.
- c) A unit may not state or indicate its preference for a candidate in the unit's publications.
- d) 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.

9) Candidate's Rights

- a) Privileges extended to one candidate shall be extended to all candidates.
- b) Each candidate shall receive a copy of the election timeline, procedures and guidelines.
- c) 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.
- d) Each candidate may have the opportunity to speak at the Leadership Council meeting prior to the Election. Candidates will speak in the same order of the ballot.

10) Ballot

- a) The names of the candidates shall be printed on the ballot in CTA alphabetical order. The name of each candidate shall be 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.
- b) 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.
- c) The ballot shall state the name of the office/position, the term, and the names of the candidates.
- d) The ballot shall include space for a write-in candidate, except in run-off elections.

11) Distribution of Ballots and Method of Voting

- a) Voting in Person
 - i) Voting shall be by one or a combination of the following methods:
 - (1) At School or Specified Voting Site
 - ii) Each member running the election on their campus will receive;
 - (1) a voter roster (list of Active Members on their site)
 - (2) a registration form for members to print and sign their name before receiving a ballot.
 - (3) A sealed ballot bag.
 - iii) If a Site Representative is a candidate they shall abstain from running all election related activities on their campus, other than placing their own vote.
 - iv) Each Active member shall receive a ballot.
 - v) The member shall place their marked ballot into the ballot bag.
 - vi) Site representatives must return the registration form and ballot bag to the Elections Committee by the designated date and time.
 - vii) Active members who are on a dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote.
- b) Voting in Person using Envelopes
 - i) Voting shall be by one or a combination of the following methods:
 - (1) At School or Specified Voting Site
 - ii) Each member running the election on their campus will receive;
 - (1) a voter roster (list of Active Members on their site)
 - (2) a registration form for members to print and sign their name before receiving a ballot.
 - (3) A sealed ballot bag.
 - (4) Large and Small envelopes
 - iii) If a Site Representative is a candidate they shall abstain from running elections related activities on their campus.
 - iv) Each Active member shall receive:
 - (1) A ballot
 - (2) Instructions on folding the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope; and deadline date for receipt of the voted ballot at the chapter office
 - (3) A small envelope (inner envelope) in which to place the voted ballot
 - (4) A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.
 - v) The member shall place their envelope into the ballot bag.
 - vi) Site representatives must return the registration form and ballot box to the Elections Committee by the designated date and time.
 - vii) Active members who are on a dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote.

- viii) At the time of counting 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.
 - ix) The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters. The inner envelopes shall be placed in a separate receptacle.
 - x) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.
- c) Voting by mail
- i) When the voting is conducted by mail, the procedure shall be as follows:
 - (1) Active members who are on a dues paying leave shall be notified by mail in order to provide them an opportunity to vote.
 - ii) Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:
 - (1) A list of current Active members shall be prepared, which includes the following: name, school/work and home address.
 - (2) The mailing list shall exactly correspond to the current official roll of voting members.
 - (3) Each voter shall be provided with:
 - (a) A ballot;
 - (b) Instructions on:
 - (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.
 - (c) Inner envelope;
 - (d) Outer return envelope addressed to the chapter.
 - (4) The ballot shall be date stamped when it is received in the chapter office and then put in a safe place until the votes are to be counted.
 - (5) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.
 - (6) The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - (7) All inner envelopes shall be placed in a separate receptacle.
 - (8) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.
- d) Voting Online
- i) The electronic/online voting vendor does not replace the elections committee.
 - (1) The committee shall be appointed and recorded in the Chapter and/or SCC minutes.
 - (2) The members of the committee shall not be current voting members of the governance body; shall not be a candidate, or a member of a candidate's immediate family.
 - ii) Electronic/online voting shall not create a situation where an eligible member is denied a means to vote in the election. The committee shall ensure that there is an alternative ballot procedure for use by those members who (a) cannot access and use an electronic/online environment; (b) who do not have the equipment necessary for electronic/online activities; (c) do not wish to vote electronically/online. The alternative ballot procedure shall comply with one of the methods as identified in this Section B-11.
 - iii) Electronic/Online elections may only be conducted by a CTA approved company in order to protect the TVEA's membership information. Any costs associated with the work done by a CTA approved company shall be paid by TVEA.
 - iv) TVEA shall notify the Elections and Credentials Committee of the name of their chosen vendor.
 - v) Should the CTA Elections Committee discover during the course of certifying a State Council representative and/or alternate election that TVEA did not use a CTA approved electronic voting vendor to conduct the election, the election shall be immediately declared null and void and TVEA will be required to re-run the election using a paper ballot.
 - vi) Any challenge filed in an electronic/online voting election which does not reflect the use of one of the

- CTA approved vendors by TVEA shall have the election immediately declared null and void and the election will have to be re-run on a paper ballot.
- vii) CTA strongly discourages the use of a school district's Internet system, lines, and equipment for electronic/online voting.
 - viii) TVEA shall adhere to all elections requirements as defined in the CTA Elections Manual and Requirements for Chapter Election Procedures.
 - ix) TVEA election instructions for both electronic/online and paper ballot shall be distributed to the chapter voting members using both electronic/online and paper communication as established by TVEA's governance documents.
 - x) All records involved with any electronic/online vote conducted by TVEA shall be maintained in a hard copy as well as electronically, and should be retained by the local for one year after the election, in order that any challenge filed to an election which is conducted in an electronic/online environment can be properly processed in accordance with CTA Elections Challenge Procedures.

12) 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.

- a) A majority vote means more than half of the legal votes cast.
- b) A plurality vote means the largest number of votes to be given to any candidate or issue.
- c) A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
- d) For unit officers, the election will be by majority.
- e) For State Council: [See the Election Timelines, Procedures, and Guidelines in section IV-9.2 of the CTA Elections Manual.]
- f) If a unit is a single electoral district or a multiple unit electoral district, the election for State Council Representative will be by majority vote.
- g) If the unit is within a multiple unit electoral district, results must be sent to the Service Center Council Elections Committee to determine if a candidate has received a majority vote. (It is important that the chapter understands that this election is conducted by the Service Center.)
- h) If a candidate does not receive a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. When there are only two candidates for an office, the candidate receiving the higher number of legal votes cast shall be declared elected. There shall be no provisions for write-in candidates in run-off elections.
- i) For NEA Local Delegates, the election will be by majority or plurality vote, as defined in the unit's governance documents. Results must be sent to the CTA Governance Department and to the Service Center Council.
- j) 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.
- k) For NEA State Delegates, the election will be by majority or plurality vote as defined in the unit's governance documents. Successor delegates (alternates) are ranked in the order of votes received. Results must be sent to the Service Center Council, which will forward the results to CTA.
- l) For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.

13) Counting of Paper Ballots

- a) Each candidate may designate one observer, who may be the candidate, to observe the vote counting process. The observer shall not interfere with the work of the Elections Committee and must remain in the room where the vote count is taking place.
- b) The Elections Committee shall count the ballots, which should be immediately following the deadline for receipt of voted ballots.

- c) Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
 - i) More ballots than signatures;
 - ii) Ballot(s) submitted after the deadline;
 - iii) Member not listed on the voter roster;
 - iv) Voter's intent unclear;
 - v) Votes cast for more than number allowed;
 - vi) Votes cast on unofficial ballot (probably reproduced); and,
 - vii) Voting envelopes without a signature.
- d) The Elections Committee should categorize each illegal ballot, decide on whether the vote(s) in that category should be counted separately, and make a note of the decision. The ballots should remain separate.
- e) If the illegal vote(s) would affect the outcome, the chairperson of the Elections Committee should report this to the unit president so that the appropriate governance body can decide how the ballots should be recorded.
- f) The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. A listing of school(s) whose ballots were set aside and not counted shall be included with an explanation of illegality.
- g) 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.
- h) The ballots and voter sign-up sheets should be retained by the unit for one year after the election.

14) Observers

- a) Each candidate shall be allowed to have an observer, which may be the candidate, at the vote counting site and shall give the name(s) of the observer(s) to the Elections Committee before counting.
- b) 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.

15) Challenge Procedure

- a) A challenge cannot be initiated until after the results of the elections have been posted at each work site and/or TVEA website www.tveducators.org.
- b) The challenging unit members must notify the unit president and the Elections Chair of a challenge in writing within ten (10) days after the announcement of the results of the election. If the President is a candidate, on the ballot, please see Item G.
- c) The notification must:
 - i) Specify which unit bylaw(s) and/or standing rule(s) have been violated.
 - ii) Attach evidence of the violations, insofar as possible.
 - iii) List names and addresses/site locations of parties who can give evidence.
- d) 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:
 - i) Is a violation of the unit's election requirement(s).
 - ii) Is supported by the appropriate documentation.
 - iii) Requires more information. The information will be obtained via the most feasible method.
 - iv) Identified violation(s) that may have affected the outcome of the election.
- e) The unit's Elections Committee shall submit a written report including issues and recommendations, within the same 10 day period, to the Chapter President and the Governance Board.
- f) All members of the Elections Committee must sign a written report with members opposing having an opportunity to explain their dissent.

- g) The Governance Board shall act on the report no later than 10 days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in Appendix O – CTA Challenge Procedures – Local Elections of CTA Elections Manual. The Governance Board must issue its findings in writing to the challenger.
- h) Any member of the Governance Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. If in the case where the majority of the Governance Board is unable to act on the challenge the decision shall move to the next highest decision-making body, the Leadership Council, according to the unit’s governance documents.
- i) If an individual wishes to appeal the decision of the unit’s governance body, he/she may file an appeal in writing within ten (10) calendar days from the date of the decision of the governance body to the CTA President. The appeal shall be the original challenge filed at the unit level, and shall include:
 - i) Specifically, which unit bylaw(s) and/or standing rule(s) have been violated.
 - ii) Attached evidence of the violations, insofar as possible.
 - iii) List names and address of parties who can give evidence.
 - iv) Written response of unit’s governance body to original challenge.
- j) If the Governance Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described in 7 (a-c) above by writing to the CTA President.
- k) 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.

16) Initiative Procedures

- a) The Active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
- b) 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.
- c) 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.
- d) The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60%) or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
- e) The circulators shall present to the chapter president the petition(s) containing original signatures.
- f) The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
- g) If there are insufficient signatures, the petition circulator will be notified within 3 calendar days that the petition failed for a lack of signatures.
- h) 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. Regular election procedures (e.g., election of officers) shall be followed including voting times.
- i) The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

17) Referendum Procedures

- a) Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the Active membership upon two-thirds vote of the Representative Council at any valid meeting.
- b) The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
- c) The chapter president shall cause a ballot to be furnished to the Active members no less than 15 calendar days after action by the Representative Council, provided that the period that school is officially not in session shall not be included in this count.

- d) Regular election procedures (e.g., election of officers) shall be followed including voting times.
- e) The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

18) Recall Procedures

- a) 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.
- b) An Active member shall file a notice of the intent to circulate a petition to recall with the chapter president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding the office of president, the request shall be made to the next ranking officer.
- c) 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.
- d) The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of 60 calendar days shall be permitted to obtain the signatures of at least 25 percent or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
- e) The circulators shall present to the chapter president the petition(s) containing original signatures or the vice president if the chapter president is the person being recalled.
- f) The chapter president shall have 10 calendar days in which to verify the membership of the signers of the petition or the vice president if the chapter president is the person being recalled.
- g) If there are insufficient signatures, the petition circulator shall be notified by mail that the petition failed for a lack of signatures.
- h) The chapter president shall cause a ballot to be furnished to the Active members no less than 20 calendar days after verification of membership. The period that school is officially not in session shall not be included in this count.
- i) Regular election procedures (e.g., election of officers) shall be followed including voting times.
- j) Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.

19) State Council, NEA State & Local Delegate Elections

- a) 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.
- b) NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- c) NEA Local Delegate elections shall be conducted in accordance with CTA guidelines.