

NVEA BYLAWS

Revised 5/15/2008

Article I. NAME AND LOCATION

This organization has been established by written Articles of Incorporation in the County of Napa, State of California and is hereinafter known as the Napa Valley Educators Association/CTA/NEA, Charter number 35.

Article II. PURPOSES

The primary purposes of this Association shall be:

- A. To represent its members in their relationships 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 opinions on professional matters to speak with authority for teachers;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To raise the standards for education support professionals;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

Article III. AFFILIATION WITH THE UNITED TEACHING PROFESSION (UTP)

- A. The Napa Valley Educators Association is a chartered chapter of the California Teachers Association (CTA).
- B. The Napa Valley Educators Association is a chartered chapter of the National Education Association (NEA).

Article IV. MEMBERSHIP

- 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 in the Napa Valley Unified School District, and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit.
- B. Membership may be granted upon initiation of payroll deduction of United Teaching Profession (UTP) dues appropriate to Active membership.

- C. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- D. Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights and receive reports and publications of the Association.
- E. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- F. Active members shall adhere to the Code of Ethics of the Education Profession.
- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, color, ethnic group, marital status, national origin or sexual orientation.
- I. No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.
- J. The membership year shall be that period of time from July 1 of any calendar year through June 30 of the following calendar year, inclusive. (11/19/2007)

Article V. DUES, FEES, AND ASSESSMENTS

- A. Categories of Membership. There shall be categories of membership in the Association: Active and Associate.
- B. 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 operating expenses of the Association, the dues of CTA, and the dues of NEA. Annual membership dues are set in accordance with STA Standing Rule 5.3, whereby four (4) different dues categories are established based on the percentage taught of a normal teaching assignment.
- C. Representation fees shall be apportioned on the same percentage basis as the full United Teaching Profession dues. The Association shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full Association/CTA/NEA dues.
- D. Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in profession status shall make the member ineligible for that class or category. If by October 31 of any calendar year, a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

- E. Special assessment fees beyond normal annual dues may be levied in the event of an emergency by a two-thirds (2/3) vote of the Representative Council members present and voting following ten (10) school days notice to the Active membership.
- F. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

Article VI. POLICY-MAKING BODY

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of members of the Association, derives its powers from and shall be responsible to the membership.
- B. The Representative Council shall be composed of the following Active members:
 - 1. Executive Board, ex-officio
 - 2. Faculty Representatives elected on the basis of one-person one-vote
 - 3. CTA State Council Representatives
- C. The Representative Council shall:
 - 1. Establish Association policies and objectives;
 - 2. Adopt the annual budget of the Association on or before the second meeting of the school year;
 - 3. Approve the establishment or discontinuance of committee recommended by the Executive Board; and
 - 4. Establish and vote upon the dues of the Association.
- D. The Representative Council shall meet at least once during each school month; the number, place, and time of meeting to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the membership.
- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- G. Notices and agenda of the Representative Council shall be sent to all members of the Representative Council at least two 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. A quorum of all meetings of the Representative Council shall consist of at least one Faculty Representative from at least a majority of the Local Faculty Units, provided that at least one third (1/3) of the total authorized voting members of the Council are present.

- J. Members of the Representative Council shall serve a term of three (3) years. (Except for the CTA State Council Representatives whose terms are set by CTA) (11/19/2007)

Article VII. FACULTY REPRESENTATIVES

- A. Faculty representative shall be elected by and from the Active membership for each faculty group. Such elections shall be by open nominations and by secret ballot. A faculty representative shall not conduct an election in which he/she is a candidate.
- B. Each faculty shall be entitled to at least one representative and shall be allocated one additional representative for every additional fifteen (15) Active members or major fraction thereof after the first 20 Active members. Allocation of Faculty Representatives shall be established by the Executive Board based on a membership census of each Faculty Unit following the beginning of the second semester each year; such apportionment shall remain in effect unless an appeal or change based on extenuating circumstances is approved by the Representative Council.
- C. Alternate Faculty Representatives shall be elected by and from the Active members of each Unit as necessary to serve in the event of absence or incapacity of the regular incumbent for any reason.
- D. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups. If more than one such group exists, these groups will be represented by one faculty representative for up to 20 active members.
- E. Faculty Representatives shall:
 - 1. Conduct constant and ongoing liaison between the Representative Council and the active members of the faculty unit;
 - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the Active members;
 - 3. Represent the views and input of the Active membership of the faculty in votes taken in the Representative Council, conduction polls of such membership for this purpose; and
 - 4. Perform such additional duties as prescribed by the Executive Board.
- F. Faculty Representatives may not conduct an election in which he/she is a candidate.

Article VIII. OFFICERS

- A. The officers of the Association shall be President, 1st and 2nd Vice-Presidents, Secretary, Treasurer, two Directors at Large, Director of Communication, Director of Human Rights and State Council Representatives.
- B. These officers shall be and remain currently paid-up members of the UTP 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 nomination and secret ballot.
- D. Officers shall be elected for a term of 3 years beginning on July 1st. No person shall serve as President continuously in excess of two (2) consecutive terms, after which at least one full term must elapse before being again eligible to serve. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the office of the Association. If there is a vacancy occurring in the office of the President, the First Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election may be held to elect successors to fill the unexpired terms, or the President with the concurrence (majority vote) of the Executive Board may nominate a candidate to be approved by a majority vote of the Representative Council in a special election. (11/19/2007)
- E. 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 meeting 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, and the bargaining team, with the approval of the Executive Board;
 - 6. Call meetings of the Association and the Executive Board;
 - 7. Propose the procedures for grievance processing for ratification by the Executive Board and the Active membership of the Association;
 - 8. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
 - 9. Attend meetings of the Service Center Council of which the Association is a part; and
 - 10. Attend other CTA/NEA meetings as directed by the Representative Council.
 - 11. Appoint the Chief Negotiator with approval of the Executive Board. (1/2008)

- F. The First-Vice President shall:
 - 1. Serve as assistant to the President in the absence of the President;
 - 2. Assume the duties of the President in the absence of the President;
 - 3. Serve as ex-officio member of all standing committees. He/She will with the assistance of the Second-Vice President coordinate committee activities t the direction of the President.
 - 4. Be responsible for the formation and distribution of the Association’s calendar of activities.
 - 5. Keep an accurate roster of the membership of all Association committees;
- G. The Second Vice-President shall:
 - 1. Assist the First Vice-President in all duties and assume the duties of the President in the absence of the President and First Vice-President;
 - 2. Maintain an accurate roster of the membership of the Association.
- H. The Secretary shall:
 - 1. Keep a care full and accurate record of the proceedings of each meeting, regular or special of the Association, Representative Council and the Executive Board;
 - 2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board, and to the membership when appropriate;
 - 3. Carry on the correspondence pertaining to the affairs of the association as directed by the President.
- J. The Treasurer shall:
 - 1. Receives all funds belonging to the Association and is responsible for their safekeeping and accounting;
 - 2. Pay out such funds upon orders of the President;
 - 3. Prepare a written financial report for each regular meeting of the Representative Council and Executive Board;
 - 4. Be responsible for an annual audit of the books for the Association and distributing a summary of this audit to the membership;
 - 5. Submit membership and financial reports to CTA, NEA, and other agencies as required by law.
- K. The Director of Communication shall:
 - 1. Publish a newsletter;
 - 2. Inform the membership of the status and progress of negotiations and publishing other communications as the Executive Board my direct.
- L. The Directors at Large shall:
 - 1. Attend all Executive Board and Representative Council meetings;

2. Carry out committee assignments and other duties as directed by the President.

M. The Director of Human Rights shall:

1. Attend all Executive Board and Representative Council meetings.
2. Carry out committee assignments and other duties as directed by the President;
3. Definition of Racial and Ethnic Minority. For the purposes of such specific racial and ethnic minority guarantees as are contained within these Bylaws, such minorities shall consist of Afro-America, Latino, Asian, and American Indian or Native American categories. (1/2008)

Article IX. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the officers of the Association.
- B. All members of the Executive Board shall be and remain members of the UTP as a condition for nomination to and service in this position.
- C. At Large members of the Executive Board will be elected with open nominations and by secret ballot for a term of 3 years. Vacancies in the position of at-large members of the Executive Board in case of death, resignation or inability to serve in this position shall be replaced by appointment of the President with consent from the Board for the balance of the term.
- D. The Executive Board shall meet before each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- E. Duties of the Executive Board shall be to:
 - 1.Coordinate the activities of the Association;
 - 2.Act for the Representative Council when school is not in session;
 - 3.Direct and adopt the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council;
 - 4.Appoint and remove bargaining team members;
 5. Approve all appointments to committees, including chairpersons;
 - 6.Recommend a budget for the Association to the Representative Council;
 - 7.Adopt the Standing Rules for the Association;
 8. Adopt and direct grievance procedure
 - 9.Direct the 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 moved by the Representative council.

- F. A quorum for all meetings of the Executive Board shall consist of six members of the Executive Board.

Article X. NVEA/NVUSD COUNCIL (BARGAINING TEAM)

- A. The members of the NVEA/NVUSD Council team shall comprise the Negotiating Committee and have the responsibility and authority for directing the bargaining process on behalf of the Association subject to policies established by the Active membership.
- B. Members of the Council shall be appointed by the President with the concurrence of the Executive Board. Such appointments shall represent elementary, middle and secondary teachers.
- D. Vacancies created by resignation or inability to serve shall be filled by the President with the concurrence of the Executive Board.
- E. Members of the Council may be removed by the President supported by a 2/3-majority vote of the Executive Board.
- F. The Council shall have the responsibility and authority for directing the bargaining process on behalf of the Association subject to policies established by the Active membership.
- G. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Council to the general membership.
- H. The Council shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.
- I. Agreements reached between the Council and the School Board or its representative shall be considered tentative until such agreements have been ratified by the Active membership unless such ratification shall have been specifically waived or otherwise delegated by that membership.
- J. Active members shall be surveyed to determine contents of the proposed contract demands and the contract proposal shall be approved by the active members.

Article XI. 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 grievance;
 - 2. Training for handling grievances;
 - 3. Evaluation of the Association's grievance policies and procedures.
- C. A Grievance Committee shall be a standing committee charged with the following:
 - 1. Provide understanding and practice of professional conduct and democratic procedures as outlined in the Code of Ethics for California teachers;

2. Establish Association liaison with school trustees and administration, especially for the consideration of policies and procedures affecting the morale of the professional staff;
3. Work with the administration and trustees in preparing codes of personnel procedures and represent the profession in enforcement and interpretation of such policies; and
4. Handle grievances forwarded from the Executive Board or its officers.

Article XII. NOMINATIONS AND ELECTIONS

- A. 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.
- B. There shall be an appointed Elections Committee charged with ensuring that elections are conducted in a fair and impartial manner.
- C. The duties of the Election Committee shall be to:
 1. Ensure that all chapter/CTA/NEA election codes and time lines are followed;
 2. Establish election time lines;
 3. Develop and carry out time lines and procedures;
 4. Prepare ballots for all election;
 5. Count the ballots and certify the results; and
 6. Handle initial challenges.
- D. Elections shall be conducted with:
 1. Open nomination procedure
 2. Secret ballot
 3. All member votes
 4. Record of voters receiving or casting ballots
 5. Majority vote of those voting, unless otherwise specified.
- E. State Council Representative Elections shall be conducted according to CTA guidelines after the chapter or Service Center Council has been notified by the CTA Election Committee.
- F. NEA State Delegate elections shall be conducted according to CTA guidelines.
- G. NEA Local Delegate elections shall be conducted according to NEA/CTA guidelines.

Article XIII. COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the Representative Council.
- B. Each Committee shall submit periodic reports to the Executive Board and Representative Council.
- C. All committee members shall be appointed by the President with the approval by majority vote of the Executive Board.

Article XIV. MEETINGS OF THE GENERAL MEMBERSHIP

- A. Meetings of the Association may be called by the President, the Executive Board, or by the written petition of twenty percent (20%) of the membership.
- B. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all members of the Association at least two days before the meeting except during crisis situations.
- C. For emergency meetings during crisis situation, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places, and times.
- D. A quorum for general membership meetings of the Association shall be fifteen percent (15%) of the active membership.

Article XV. 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.

Article XVI. AMENDMENTS

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 Bylaw 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.

NOMINATION AND ELECTION STANDING RULES/PROCEDURES

A. Election Committee

1. There shall be an Election Committee composed of at least three members who are not on the Executive Board and are familiar with the units operations and who are not seeking election. Members of the Election Committee cannot serve on the Executive Board.
2. The chair of the Election Committee shall be appointed by the President.
3. Members of the Election Committee shall be approved by the Executive Board.
4. A member shall abstain from participation in Election Committee activities during the period in which s/he or her/his immediate family member is a candidate.

B. Election Requirements

1. The chapter shall ensure that an open nomination procedure is in place (i.e. any member may nominate any member, including himself or herself). Candidates must be Active members in NVEA.
2. Every member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
4. There shall be an all-member vote. A member who is off-track shall be sent election information by mail to his/her last known residence.
5. A chapter shall provide means for all members to vote and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly scheduled voting place.
6. A member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot.
7. All elections shall be decided by a majority vote of those voting, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the two candidates receiving the highest number of votes.

C. Announcement

1. The announcement of election shall include the offices, length of terms, and the election time line.
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 time lines.

2. The time line for the election shall include dates for:
 - a. Announcements of vacancy(ies) and term(s) of office using method that will ensure each member is aware of the opportunity to file a declaration of candidacy.
 - b. At least fifteen (15) days between the announcement date of the vacancy(ies) and the dates of the election.
 - c. Time, date and place where declarations of candidacy are to be received.
 - d. Literature shall include information that is receipt date and not postmark date.
 - e. Date for acknowledgement of declarations from candidates.
 - f. Date for preparations of ballots and when they will be distributed..
 - g. Date(s) when voting will take place.
 - h. Deadline date for requesting absentee ballot.
 - i. Deadline date, time and place for return of ballots, including absentee ballots
 - j. Date, time and place where return of ballots, including absentee ballots.
 - k. Date, time and place where ballots will be counted.
 - l. Date(s) that announcement of results will be made to leadership, candidates and members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots.
 - m. Dates and time lines for run-off election, if necessary.
 - n. Deadline for filing of challenges.

E. Finances

1. Chapter moneys received through dues, assessments 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 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.

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 time line, procedures and guidelines.

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

G. Ballot

1. The names of the candidates shall be printed on the ballot in CTA election alphabet order. The names 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 alphabet order shall continue to be applied throughout the name including the first name.
2. The ballot shall state the name of the office, the term, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.

H. Distribution of Ballots and Method Voting

1. School Site (see Appendix A for optional method)
 - a. Each voter will receive a ballot after signing a voter roster/sign-up sheet.
 - b. Such sign-up sheet shall contain the names of eligible voters with a place for a signature
 - c. The marked ballot must be returned to a designated site representative or ballot box.
 - d. Site representatives must return all voter roster/sign-up sheets and ballots to the Election Committee by the designated date and time.
2. At specified voting site (See procedures in 1 above)
3. By mail (see Appendix B)
4. Active members who are off track or on a dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote.

I. Counting of Ballots

1. Each candidate may designate one observer, who may be the candidate, to observe the vote counting procedure. The observer shall not interfere with the work of the Election committee and must remain in the room where the vote is taking place.
2. Upon receipt of ballots, tally sheets and signature sheets, the Election Committee shall count the ballots in a secure area with only the Election Committee members and observers present.
3. The Election Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as

- a. Blank ballot
 - b. More ballots than signatures
 - c. Voter not a member
 - d. Voter's intent unclear
 - e. Voters cast for more than number allowed
 - f. Votes cast on unofficial ballot
 - g. Vote cast for ineligible candidate
 - h. Voting envelopes without a signature
4. The Election Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
 5. The Election Committee shall prepare the Final Report, recording the following information:
 - a. Total number of ballots cast
 - b. The number of set aside ballots with an explanation for each category of ballot not counted
 - c. The number needed to win or pass
 - d. The number of votes received by each candidate or issue
 - e. A notation whether the set aside votes would affect the outcome.
 - f. Signature of each Election Committee member present during the preparation of the report.
 6. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
 7. The President shall announce the results as prescribed by the time lines.
 8. If the votes set aside would affect the outcome of the election, the Executive Board shall decide:
 - a. To count the votes which have been set aside;
 - b. Not to count the votes which have been set aside;
 - c. If the election should be conducted again, any candidate who may be affected by the vote shall not be allowed to take part in the decision making process.
 9. The ballots and voter sign-up sheets shall be retained for one year after the election.

J. Observers

1. Each candidate shall be allowed to have up to three observers at the vote counting site and shall give the names of the observers to the Election Committee before the 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.

K. Challenge Procedure

1. A challenge can not be initiated until after the results of the elections have been posted at each work site.
2. Any member observing a violation of election procedures shall notify the chapter President and the chair of the Election Committee, in writing, within five school days of the announcement of the results. The notification must:
 - a. Specify which requirement has been violated;
 - b. Include supporting information;
 - c. List names and addresses of parties who can provide information.
3. The Election Committee shall respond within seven (7) calendar days after receipt of the challenge in an effort to resolve the issue. The Committee shall determine whether:
 - a. The challenge alleges a violation of a chapter election requirement;
 - b. The challenge is supported by appropriate documentation;
 - c. Requires more information which will be obtained via the most feasible method;
 - d. The alleged violation may have affected the outcome of the election.
4. The Election Committee shall report to the Executive Board on its findings and recommendations within twenty (20) school days.
5. The Executive Board shall make a decision on the resolution of the challenge. The challenging party and all candidates in that race shall be notified of the decision of the Executive Board.
6. 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.
7. 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 refrain from voting on the report. If the case where the majority of the Governance Board is unable to act on the challenge the decision shall move to the next higher decision making body according to the unit's governance documents.
8. If an individual wishes to appeal the decision of the Elections Committee, or if the unit Elections Committee fails to act, he/she may file an appeal within ten (10) calendar days from the date of the filing of the challenge by writing to the CTA President 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 addresses of parties who can give evidence.
- d. Written response of unit's governance body to original challenges.

9. If the Governance Board fails to act within ten (10) calendar days of the initial challenges, the individual may file an appeal as described in 7 (a-c) above by writing to the CTA President.

10. 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.

L. Initiative Procedures

1. The active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
2. A member shall file a notice of the intent to circulate a petition with the chapter President by including a copy of the petition to be circulated, and the names of at least five 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 time line for gathering signatures will commence the day that the notice of intent is registered. A maximum of thirty (30) school days shall be permitted to obtain the signatures of at least 15 percent (15%) 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 the original signatures.
6. The chapter President shall have five (5) school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional seven (7) school days in which to gather and submit the necessary signatures. The chapter President shall have three (3) school days in which to verify the membership of the additional signers.
8. The chapter President shall cause a ballot to be furnished to the members no less than fifteen (15) school days after verification of membership, provided that the period that school is officially not in session shall not be included in this count. In the event that the school year will end less than fifteen (15) days prior to a ballot

being furnished, the election will be delayed until fifteen (15) days after the beginning of the next school year

9. Regular election procedures shall be followed, including voting times.

10. The proposal shall take effect immediately upon receipt of the required number of votes unless otherwise specified.

M Referendum Procedures

1. Any action or proposal action of the Representative Council or the Executive Board shall be referred to a vote of the membership upon two-thirds (2/3) vote of the Representative Council at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the membership on the ballot.
3. The chapter President shall cause a ballot to be furnished to the members no less than fifteen (15) school days after action by the Representative Council, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures shall be followed, including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes unless otherwise specified.

N. Recall Procedures

1. The active membership shall have the authority to recall from office any person or persons holding such virtue of having been elected thereto by the chapter's active members.
2. A member shall file a notice of the intent to circulate a petition to recall with the chapter President by including a copy of the petition to be circulated, and the names of at least five persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding office of President, the request shall be made to the next ranking officer.
3. The chapter President shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The time line for gathering signatures will commence the day that the notice of intent is registered. A maximum of forty-five (45) school days shall be permitted to obtain the signatures of at least twenty-five percent (25%) 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 the original signatures.

6. The chapter President (or next ranking officer if the proposed recall is for the person holding the office of President) shall have ten (10) school days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified by mail of the number of signatures needed to qualify the petition. The petition circulator shall have an additional fifteen (15) school days in which to gather and submit the necessary signatures. The chapter President (or the officer to whom the proposed recall was submitted) shall have five (5) school days in which to verify the membership of the additional signers.
8. The chapter President shall cause a ballot to be furnished to the members no less than twenty (20) days after verification of membership. The period that school is officially not in session shall not be included in this count.
9. Regular election procedures shall be followed, including voting times.
10. The chapter President shall cause a ballot to be furnished to the members no less than twenty (20) days after verification of membership. The period that school is officially not in session shall not be included in this count.
11. Regular election procedures shall be followed, including voting times.
12. 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.
13. The proposal shall take effect immediately, upon receipt of the required number of votes, unless otherwise specified.

APPENDIX A- Voting at School Site(s), Using Envelopes

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

1. A list of current active members shall be prepared, which includes the following: name, school, and home address
2. A determination shall be made before the election whether the ballots shall be sent to the school or to the home of the member.
3. The voter shall be provided with:
 - a. A ballot
 - b. Inner envelope
 - c. Outer return envelope, addressed to the chapter, and
 - d. Instructions on returning of the voted ballot, including the signature.
 - e. At the time of counting, the names on the outer envelope shall be checked against the official list of voters. The name

on the official list shall be marked to show that the voter has returned a ballot.

f. The outer envelopes shall then be opened and put a separate stack for safekeeping as a record of voters.

g. All inner envelopes shall be placed in a separate receptacle.

h. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

APPENDIX B- Voting by Mail Procedure

When the voting is conducted by mail, special care should be taken in all phases of handling ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation. A list of current official members shall be prepared, which includes the following: name, school and home address.

1. Each voter shall be provided with:
 - a. A ballot
 - b. Inner envelope
 - c. Outer return envelope, address to the chapter, and
 - d. Instructions on returning of the voted ballot, including the signature.
2. 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.
3. At the time of the counting, the names on the outer envelopes shall be checked against the official list of teachers who are off-track.
4. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
5. All inner envelopes shall be placed in a separate receptacle.
6. The inner envelope shall be slit and the ballots removed from the envelopes, stacked and the counted.