

# FRANKLIN MCKINLEY EDUCATION ASSOCIATION CTA/NEA STANDING RULES

## PURPOSE:

Standing Rules of the Association shall provide such additional procedures and information as may be necessary for the administration of the Bylaws and for efficient administration of the program of this Association.

## I. Elections Committee

### 1. There shall be an Elections Committee.

- a) The Elections Committee and Chairperson shall be appointed by the president and approved by the appropriate governance body to which it is responsible.
- b) 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.
- c) The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.
- d) A member shall abstain from participation in Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate.

## II. 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). 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) day period between notice of election and the actual voting. There shall be an all Active member vote.
4. 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 scheduled voting place.
5. 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.
6. If a roster of Active members is prepared for a school site ahead of time,

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initials of the member may be accepted.

## 7. 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.
- c) The timeline for the election shall include dates for: time, date, and place where declarations of candidacy are to be received.
- d) Literature shall include information specifying that date is receipt date and not postmark date.
- e) Date for acknowledgment of declarations from candidates.
- f) Date for preparation of ballots.
- g) Date on which ballots will be distributed.
- h) Date(s) when voting will take place.
- i) Deadline date, time and place for return of ballots, (date received, not post-mark date).
- j) Date, time, and place where ballots will be counted.
- k) Date(s) that announcement of results will be made to leadership, candidates and members.
- l) Dates and timelines for run-off election, if necessary.
- m) Deadline for filing of challenges (date received, not post-mark date).

## III. 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.

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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.

## IV. 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 school sites and the number of Active members at each site for the purposes of campaigning.

## V. Ballot

1. The names of the candidates shall be printed on the ballot in CTA alphabetical order.
2. 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.
3. The ballot shall state the name of the office, the term, and the names of the candidates.
4. The ballot shall include space for a write-in candidate, except in run-off elections.

## VI. Distribution of Ballots and Method of Voting

1. Each member shall receive a ballot.
2. Voting shall be by one or a combination of the following methods:
  - a) At School Site/Specified Voting Site
    - (1) If a Site Representative is a candidate, refer to Elections Committee,
  - b) Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
  - c) Voter Roster – List of eligible voters.
  - d) Voter Sign-up Sheet – List of eligible voters which includes a place for a signature.

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e) The marked ballot must be returned to a designated site representative or ballot box.

f) Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time. 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.

3. Voting At School Site(s)/Specified Voting Site 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 address.

b) The voter shall be provided with the following:

(1) A ballot;

(2) Instructions on folding of 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; and,

(4) A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.

c) At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.

d) The outer envelope shall then be opened and 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) 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.

4. Voting by mail.

When the voting is conducted by mail, the procedure shall be as follows:

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- a) 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.
- b) 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 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.

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## VII. Vote Requirement

1. All vote requirements shall be established in accordance with CTA guidelines.
2. Unless otherwise specified, all elections shall be decided by majority vote.
3. Write-in votes are valid and must be counted.
4. A majority vote means more than fifty percent (50%) of the legal votes cast.
5. A plurality vote means the largest number of votes to be given any candidate or issue.
6. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
7. For unit officers, the election will be by majority.
8. State Council Representative will be by majority vote.
9. 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.
10. The names on the ballot will be one (1) more than the number of vacancies to be filled.
  - a) When there are only two candidates for an office, the candidate receiving the higher number of legal votes cast shall be declared elected.
  - b) There shall be no provisions for write-in candidates in run-off elections.
11. 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.
12. 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.
13. For NEA State Delegates, the election will be by majority or plurality vote as defined in the unit's governance documents. Successor delegates

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(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.

## VIII. Counting of Ballots

1. Upon receipt of ballots, tally sheets and signature sheets, the Elections Committee shall count the ballots in a secure area with only the Elections Committee members and observers present.
2. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
  - a) Blank ballot;
  - b) More ballots than signatures;
  - c) Ballot submitted after deadline;
  - d) Voter not an Active member;
  - e) Voter's intent unclear;
  - f) Votes cast for more than number allowed;
  - g) Vote cast on unofficial ballot;
  - h) Vote cast for ineligible candidate.
3. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
4. The Elections 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 Elections Committee member present during the preparation of the report.

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5. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
6. The President shall announce the results as prescribed by the timelines.
7. If the votes set aside could affect the outcome of the election, the President and the appropriate body shall decide:
  - a) to count the votes which have been set aside;
  - b) not to count the votes which have been set aside; or
  - c) if the election should be conducted again.
8. 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.

## IX. Observers

1. Each candidate shall be allowed to have an observer(s) (put appropriate number if more than one) at the vote counting site and shall give the name(s) of the observer(s) 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.

## X. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. The challenging party(ies) must notify the unit president of a challenge in writing within ten (10) days after the announcement of the results of the election. The notification must:
  - a) Specify which requirement has been violated.
  - b) Include evidence, insofar as possible.
  - c) List names and addresses of parties who can give evidence.
3. Within ten (10) calendar days after receipt of the challenge, the unit Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether:

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- a) The challenge alleges a violation of the unit's elections requirement.
  - b) The challenge is supported by appropriate documentation.
  - c) More information is needed, in which case, the information will be obtained via the most feasible method.
  - d) The alleged violation may have affected the outcome of the election.
4. The Elections Committee shall submit a report including issues and recommendations to the Chapter President and the Chapter Board of Directors/Executive Board. The Governance Board shall act on the report immediately at its first opportunity.
5. If an individual wishes to appeal the decision of the governance body of the unit, or if the governance body 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.
6. 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.

## XI. 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 45 calendar days shall be permitted to obtain the signatures of at least 10 percent or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
- E. The circulators shall present to the chapter president the petition(s) containing original signatures.
- F. The chapter president shall have 5 calendar days in which to verify the membership of the signers of the petition.

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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.

I. Regular election procedures (e.g., election of officers) shall be followed including voting times.

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

## XII. 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.

## XIII. 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.

a) 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

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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.

E. The petition shall contain the question proposed to be placed on the ballot.

F. 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.

G. 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.

H. If there are insufficient signatures, the petition circulator shall be notified by mail that the petition failed for a lack of signatures.

I. 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.

J. Regular election procedures (e.g., election of officers) shall be followed including voting times.

K. 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.

## XIV. POLITICAL ACTION COMMITTEE

A. In order to participate in local school board elections and/or bond elections, any funds donated for such purposes must be collected separately from association dues and held in a separate account. The Fair Political Practices Commission guidelines regarding campaign donations and correct procedures for forming and operating political action as detailed in the CTA Guide to Local Political Action Committees shall be adhered to.