

CHULA VISTA EDUCATORS ELECTION PROCEDURES

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Updated 2021**

PREFACE

It is the purpose of these requirements to ensure the integrity of the electoral process. The principle of voting is to determine the mandate or choice as expressed by those voting. This requires that election procedures, both for candidates and for policy issues, must afford every member the opportunity to vote. These requirements must be followed if the chapter's bylaws and/or standing rules do not address these issues.

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Chula Vistas Educators Election Procedures

Chula Vista Educators (CVE) President must provide members an opportunity to vote in all elections. Chapter presidents do not have the option of deciding that such elections shall not be held.

The Elections Committee shall be appointed by the president at the beginning of his/her term in accordance with the CVE adopted bylaws and standing rules. The Committee shall be composed of at least three members who are not on the Executive Board, who are familiar with the CVE operations, and who are not seeking election.

The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner consistent with the following:

I. Election Timeline and Procedural Components

1. All election materials shall be prepared and distributed by SCTU Office Staff.

Using the Sample Timeline for Elections (Appendix A), the election shall be completed through Step I no later than April 30.

1. The election begins with the announcement of vacancy(ies) and terms of office. The election cannot be stopped until the conclusion of the election, including runoffs if necessary.

2. A Timeline for Elections shall include the following:

- a. Announcement of vacancy(ies) and term(s) of office shall be distributed via District mail and/or electronically.
- b. At least fifteen (15) working days between the announcement date of the vacancy(ies) and the date of the election.
- c. Place, time, and date of receipt (date received, not postmarked date) for declaration of candidacy forms.
- d. Final date to acknowledge candidates' declarations of candidacy.
- e. Date for preparation of ballots.
- f. Date ballots will be distributed.
- g. Date by which to request a ballot.
- h. Date(s) when voting will take place.
- i. Deadline date (date received, not postmarked date) time and place for return of ballots.
- j. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots.
- k. Date that announcement of results shall be made to leadership, candidates, members, and made available to each site for posting and electronically, which date shall be not later than five (5) working days following the counting of ballots.
- l. Dates and timelines for run-off election, if necessary, and the deadline for filing of challenges to initial election and run-off, if held (date received, not post-marked date).
[See Appendix A]

3. Procedural Components should include the following:

- a. Declaration(s) of Candidacy(ies) may be submitted via District mail, hand delivered, faxed, and/or electronically,
- b. Distribution of election guidelines/rules to candidates may be via District mail, hand delivered, faxed, and/or electronically.
- c. Campaign statement of candidates: each candidate shall be treated equally in preparation and distribution of candidates' statements. Statements must be uniform in size and font use (Times Roman 12 pt.) Statements shall not exceed 100 words. If the statement exceeds 100 words, only the first 100 words will be printed. No pictures/graphics will be allowed. No statement shall be printed on the ballot.
- d. Ballots may be delivered via district mail, U.S. mail, or hand delivered, utilizing the two-envelope process.
- e. Declarations of Candidacy accompanied by a campaign statement are to be returned by the deadline.
- f. Declaration of Candidacy forms will be date stamped by Election Committee Chair, designee, or SCTU Office Staff.
- g. The names are to be listed according to CTA alphabet.
- h. Elections will be decided by majority vote of ballots cast. If a candidate does not receive a majority vote, a runoff election shall be conducted between 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.
- i. No more than one observer per candidate shall be allowed when ballots are counted.

II. Open Nomination

Open nomination is defined as the opportunity of any CVE member to nominate any other CVE member, including himself/herself. The only qualification for office is membership in CVE. Declaration of Candidacy forms shall be readily available to members. The form must state the requirements as to the deadline for time and place of filing.

III. Term

The term(s) of office shall be clearly stated on the following documents:

1. Announcement
2. Declaration of Candidacy form
3. Ballot

IV. Campaign Finances and Use of CVE Resources

1. Monies received by CVE by ways of dues assessment or similar levy must not be used to promote any candidate.
2. CVE may not state or indicate its preference for a candidate in the CVE's publications.
3. The use of links to any association web site by a candidate is prohibited.

4. The Association shall not make available personal email addresses to candidates.
5. District email addresses and/or systems shall not be used for campaigning.
6. Each candidate shall have the right to a list of the work site names and work site addresses with the number of active members at each site for the purposes of campaigning.
7. CVE will honor all reasonable requests by a candidate to distribute campaign literature at his/her expense to all members in good standing, whether the distribution is by mail or other means. However, if distribution of campaign literature for one candidate is without charge, then distribution for all candidates must be without charge. Treating all candidates the same by refusing to honor any and all reasonable requests for distribution of campaign literature at the candidates' expenses is not permitted. CVE should inform all candidates of rules in this regard.
8. A candidate may not accept direct contributions from CVE's treasury or indirect contributions in the form of use of CVE's assets, facilities, staff, equipment mailings, good will, or credit.
9. A candidate may not use the official logo of the CVE Association title in a way that suggests that the candidate has the support of the CVE, CTA, or any of its affiliates.
10. All campaign flyers/materials must include a disclaimer stating that the view and opinions expressed are those of the candidate and not necessarily those of the CVE, CTA, or any of its affiliates.

V. Candidates' Statements

Each candidate must be treated equally in preparation and distribution of a campaign statement. When there is a limitation of words, each word shall be counted. Any word(s) exceeding the limitation shall not be printed. The statements shall not be printed on the ballot.

VI. Ballot

The CTA alphabet shall be used to determine the order of the candidates' names. 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.

The ballot shall state the name of the office, the term, and the name for each office/position of the candidate(s) who have filed declarations of candidacy within the timeline. The ballot shall include space for a write-in candidate for each office/position except in a run-off election.

VII. Voting Methods

All active members must have an opportunity to vote. 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. Active members on Association/Affiliate business may request a ballot by mail. Provisions must be made for members to cast ballots in such a manner that those persons casting votes cannot be identified with the votes cast. Voting by mail may be used at sites where it is difficult to contact each member individually to secure a signature on the official voter roster/sign-up sheet. 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.

1. On-Site Voting

- a. The marked ballot must be returned to the CVE Office by the deadline date.

- b. Campaign materials are not allowed in or near the polling area, nor should campaign materials be distributed with ballots.
- c. Site representatives must return all voter rosters and ballots to the CVE office by the designated date and time. Ballots must be secured and uncounted. Rosters and ballots from each site must be kept together until verified by the Elections Committee. Refer to Section IX for the Counting of Ballots procedures.
- d. Preliminary counts shall not be completed at school/work sites.
- e. A list of current members shall be prepared which includes each active member's name.
- f. Site Reps and Area Directors shall not make available personal email addresses or personal phone numbers to candidates and members.
- g. Site Reps and Area Directors may not publicly endorse candidates during staff or union meetings.
- h. Site Reps and Area Directors may not use constant contact or other messaging or mass text platforms to endorse candidates or campaign for candidates.

2. The voter shall be provided with the following:

- a. A ballot.
- b. Instructions on folding of the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope addressed to the chapter; and deadline date for receipt of the voted ballot at the chapter office;
- c. A small envelope (inner envelope) in which to place the voted ballot.
- d. A larger envelope (outer envelope) addressed to the chapter on which the voter prints and signs his/her name.
- e. Prior to the counting of the ballots, the names on the outer envelopes shall be checked against the official list of voters. The names on the official list shall be marked to show that the voters have returned a ballot.
- f. The outer envelope shall then be opened and put in a separate stack for safekeeping.
- g. All inner envelopes shall be placed in a separate receptacle.
- h. The inner envelopes shall be slit, the ballots removed from the envelopes, stacked, and then counted.
- i. Refer to Section IX for the Counting of Ballots procedures.

3. Voting by mail

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

- a. A list of current official active members shall be prepared which includes the following: name, work, and home address.

- b. A determination shall be made prior to the election whether the ballots shall be sent to the school/work site or to the home of the member.
- c. The voter shall be provided with:
 - 1) A ballot
 - 2) Instructions on:
 - a) Folding and placing of the ballot in the unsigned inner envelope,
 - b) Placing of the unsigned inner envelope into the outer envelope,
 - c) Signature and school/work site on the outer envelope addressed to the chapter;
 - d) Deadline date for receipt of the voted ballot at the chapter office. A small envelope (inner envelope) in which to place the voted ballot;
 - e) A larger envelope (outer envelope) addressed to the chapter on which the voter prints and signs his/her name;
 - f) At the time of counting, the names on the outer envelope shall be checked against the official list of voters;
 - g) The name on the official list should be marked to show that the voter has returned a ballot;
 - h) The outer envelopes shall then be opened and put in a separate stack for safekeeping;
 - i) All inner envelopes shall be placed in a separate container;
 - j) All inner envelopes shall be opened, the ballots removed from the envelopes, stacked, and then counted;
 - k) The elections committee shall prepare a CVE Official Teller's Report with the results of the mail ballot;
 - l) The Chapter shall arrange to have the results announced.

4. Electronic Online Voting

On behalf of the CTA Board of Directors, the CTA Elections and Credentials Committee may authorize Chapters to conduct the local chapter elections through electronic/online voting procedures as established in the CTA Elections Manual.

- a. Chapters wishing to explore or use electronic/online voting shall confer with the CTA Elections and Credentials Committee Chair or designee prior to initiating any electronic online voting. The CTA Elections Chair shall provide the chapter with a procedural requirements checklist to assist the chapter in preparing for electronic/online voting. Electronic/online voting cannot commence in any chapter until all procedural requirements on the checklist have been met and approved by the CTA Elections Committee.
- b. The decision by a chapter to conduct electronic/online voting shall be determined by a paper ballot vote of the entire membership of the chapter. The results of the election of the ballot shall be a majority of the legal votes cast, in accordance with the

governance documents. Election results shall be filed with the CTA Elections and Credentials Committee immediately following the vote.

- c. The chapter shall appoint a standing elections committee.
 - 1) The committee shall be appointed and recorded in the chapter minutes.
 - 2) The members of the committee shall not be current members of the governance board, shall not be a candidate, or a member of a candidate's immediate family.
 - 3) The list of the committee members shall be sent to the CTA Elections and Credentials Committee immediately following appointment.
- d. Elections training shall be scheduled with and conducted by the CTA Elections and Credential Committee for all chapter governance board members and Chapter Association/Site Representatives prior to initiating any online/electronic voting procedures.
- e. The local Chapter and/or Service Center Council (SCC) shall adopt procedures and requirements into their Standing Rules/Rules of Operations in accordance with the CVE's governance documents for such amendments. The amendment to the Standing Rules/Rules of Operations shall be submitted to and approved by the CTA Local Governance Documents Review Committee for compliance review. Requirements shall be in accordance with the procedures and requirements established in the CTA Elections Manual and CTA Policy.
- f. Upon satisfactory completion of these procedural requirements, the CTA Elections Chair, on behalf of the CTA Board of Directors, shall notify the Chapter and/or SCC that they are authorized to conduct the local elections through electronic/online voting in accordance with the required procedures found in the CTA Elections Manual.

5. Additional Required Procedures

Any Chapter that is authorized by CTA Elections and Credentials Committee to conduct electronic/online voting and has complied with the requirements cited in 4 a — f, above, shall be required to meet the following additional minimum standards in the election procedures:

- a. Electronic/online voting shall not create a situation where an eligible member is denied a means to vote in the election. The Chapter and/or SCC 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 the two-envelope process as identified in this Section VII-2, Voting Procedures for State Council Representatives and Alternates.
- b. Any chapter and/or SCC that has made the decision to conduct an electronic/online election in accordance with these requirements shall conduct elections using *MyCTA* as the access connection to the ballot prepared by a CTA approved company in order to protect the Chapter's/SCC's membership information. Any costs associated with the work done by a CTA-approved company shall be borne by the Chapter/SCC.
- c. CTA recommends that school district's Internet system, lines, and equipment should not be used for electronic/online voting.

- d. Chapters and/or SCC's shall adhere to all elections requirements as defined in the CTA Elections Manual and Requirements.
- e. Chapter and/or SCC election instructions for both electronic/online and paper ballot shall be distributed to the chapter voting members using both electronic/online and paper communication.
- f. All records involved with any electronic/on-line vote conducted by the chapter 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.

VIII. Vote Requirements

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

1. Majority means more than half of the legal votes cast for each office/position on the ballot.
2. A plurality vote means the largest number of votes to be given any candidate or issue. When there is a tie in a plurality election, and it is not feasible to conduct the election again because of the time factor, the following procedure shall be followed:
 - a. When there is a tie, the ballots shall be recounted.
 - b. If the result is still a tie, the elections committee chairperson shall:
 - 1) Call the candidates (according to the CTA alphabet) and inform them of the tie and that a coin toss shall be used to determine the winner.
 - 2) If the first candidate called wishes to remain in the race, the chairperson shall ask that candidate to choose 'heads' or 'tails' in the coin toss.
 - 3) The Elections Committee Chairperson shall designate the time and place for the coin toss and inform the candidates, who may have an observer present. The observer may be the candidate.
 - 4) The Elections Committee shall note the coin toss on the CVE Official Teller's Report.
 - 5) The Elections Committee shall follow the established procedure in notifying the candidates of the results.
3. A two-thirds (2/3) vote means at least two-thirds (2/3) of the legal votes cast.
4. For CVE officers, the election will be by majority vote.
5. For State Council (See the Election Timelines Procedures, and Guidelines in the CTA Elections Manual.)
 - a. If CVE is a single electoral district or a multiple unit electoral district, the election for State Council Representative will be by majority vote.

- b. If CVE 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.
6. If a candidate does not receive a majority vote, a runoff 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.
7. For NEA Local Delegates, the election will be by majority or plurality vote, as defined in the CVE's governance documents. Results must be sent to the CTA Governance Department and to the Service Center Council.
8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates, the election will be by majority or plurality vote. Successor delegates (alternates) are ranked in the order of votes received. Results must be sent to the Service Center Council, who will forward the results to CTA.
10. For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.

IX. Counting of Ballots

1. 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.
2. The Elections Committee shall verify signature sheets with ballots received, and count the ballots, which should be completed immediately following the deadline for receipt of voted ballots.
3. Each office/position on the ballot shall be treated as a separate race.
4. Ballots for each office/position shall be set aside; Examples include the following:
 - a. Member not listed on the voter roster;
 - b. Voter's intent unclear;
 - c. Votes cast for more than number allowed;
 - d. Votes cast on unofficial ballot (probably reproduced);
 - e. Candidate is not a member.
5. Ballots set aside and not counted are:
 - a. Ballot(s) submitted after deadline;
 - b. Voting envelopes without a signature.

6. The Elections Committee should categorize each illegal ballot, and make a determination on whether the vote(s) in that category should be counted separately, as listed in 4 above, and make a note of the decision. The ballots should remain separate.
7. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue, and the number of blank and illegal ballots for each office/position, with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.
8. 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 the CVE office electronically.
9. The ballots and roster sheets should be retained by CVE for one year after the election.

X. Challenge Procedures

1. A challenge cannot be initiated until after the announcement results of the election have been posted at each work site.
2. Challenges for election of CVE Officers, Area Directors, State Council Representatives, Alternates, State, and Local delegates to the National Education Association-Representative Assembly (NEA RA) follow procedures in the CTA Elections Manual.
3. Challenging party(ies) must notify the CVE president and Elections Chair of a challenge in writing within ten (10) working days after the announcement of the results of the election. If the CVE president is a candidate on the ballot, please see item number 5. The notification must be on official CTA Challenge Form (See Appendix M and can be accessed on *MyCTA*).
4. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) working days after receipt of the challenge, CVE's Elections Committee shall, in accordance with CVE's bylaws and standing rules, conduct an investigation and determine whether or not the challenge:
 - a. Is a violation of the CVE's election requirement(s).
 - b. Is supported by the appropriate documentation.
 - c. Requires more information. The information will be obtained via the most feasible method.
 - d. Identified violation(s) that may have affected the outcome of the election.
 - e. Within the same 10 working day period, the CVE's Elections Committee shall submit a written report including issues, findings, and recommendations to the Chapter President and the Governance Board.
5. 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.
6. The Governance Board shall act on the report no later than 10 working days following receipt of the written report of the Elections Committee, in accordance with CTA Challenge Procedures - Local Elections, of the CTA Elections Manual. The Governance Board must issue its decisions in writing to the challenger and the Elections Committee Chair.

7. If the challenging party(ies) wish(es) to appeal the decision of the CVE's Governance Board, he/she may file an appeal in writing within ten (10) working days from the date of the decision of the CVE's governance body to the CTA President. The appeal shall be the original challenge filed at the CVE level, and shall include:
 - a. Specifically, which CVE bylaw(s) and/or standing rule(s) have been violated;
 - b. Attached evidence of the violations, insofar as possible;
 - c. List of names and addresses of parties who can give evidence;
 - d. Written response of CVE's governance body to original challenge.
8. If the Governance Board fails to act within ten (10) working days of the initial challenge, the individual may file an appeal as described in 7 (a-c) above by writing to the CTA President.
9. In the circumstance where an election has been conducted to elect one or more officers and the elections results are challenged, the winner(s) of the election shall hold office until such time as the challenge is resolved.
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.
11. Endorsements: A candidate may only seek endorsements from CVE members that are not in office. CVE President, CVE Vice President and other cabinet members may not endorse candidates.
12. Campaign Income: No labor organization or private sector employer (including commercial firms and business) may contribute money, services, or anything of value, directly or indirectly, to promote the candidacy of any individual for CTA office.

CVE Challenge Procedures .Local Elections

*“Challenges for election of State Council Representatives, Alternates
State and Local delegates to NEA-RA follow procedures in the
CTA Elections Manual”*

Local Level

Challenge filed at local CVE level following local CVE procedures provided in local governance documents within **five (5)** working days after the announcement of the results of the election.

CTA Level

If an individual wishes to appeal the decision of the CVE's governance body, he/she may file an appeal in writing within ten (10) working days from the date of the decision of the CVE's governance body to the CTA

If the Governance Board fails to act within ten (10) calendar days of the initial challenge, the challenging party(ies) may file an appeal in writing to CTA President who shall refer the challenge to Chairperson CTA

CTA Elections Committee Level

The CTA Elections and Credentials Committee investigates the challenge and determines actions to be recommended to the President.

At the direction of the CTA President, the CTA Elections and Credentials Committee initiates appropriate action and submits a report of findings and recommendations to the CTA President and the CTA Board.

CTA Board of Directors Level

The CTA Board shall send approved recommendations to the Local President/ Service Center Council Chairperson, to the challenging party(ies), and to members who provided information to the CTA Elections and Credentials Committee. The CTA Elections and Credentials Committee report to the Board, and documents obtained in regards to the challenge are confidential.

CTA President and CTA Board of Directors

Whenever the CTA Elections and Credentials Committee has been unsuccessful in working with the chapter to implement recommendations, the CTA President and Board of Directors will be notified for action.

XI. 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 three persons supporting the proposed measure and responsible for its circulation.
3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) working 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.
5. The circulators shall present to the Chapter President the petition(s) containing original signatures.
6. The Chapter President shall have thirty (30) working days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator will be notified within three (3) working days that the petition failed for a lack of signatures.
8. The Chapter President shall cause a ballot to be furnished to the members no less than fifteen (15) working days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g. election of officers) shall be followed, including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

XII. Referendum Procedures

1. Any action or proposed 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) working 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 (e.g. election of officers) shall be followed, including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

XIII. Recall Procedure

The following procedures will apply

1. Any active member(s) desiring to recall a CVE officer must file a copy of a petition with the chairperson of the Elections Committee before it can be circulated.
2. The petition must include the following information:
 - a. Name of individual who is the subject of the recall.
 - b. Office of individual.
 - c. Date of petition.
 - d. Name(s) of person(s) filing petition.
 - e. Notation that "Each signature must be in ink."
 - f. Space must be provided for the printed name, signature, work site, and date of signing for each name on the petition.
3. Within fourteen (14) working days after receipt, the chairperson of the Elections Committee shall determine whether the petition contains the necessary information.
 - a. If the petition does not contain the necessary information, the Chairperson of the Elections Committee shall so notify the petitioner(s) (See number two (2) above).
 - b. If the petition contains the necessary information, the Chairperson of the Elections Committee shall inform the petitioner(s) of the rules, procedures, and timeline (beginning date and deadline for gathering of signatures), and the need for protection of due process rights of the parties.
 - c. The Chairperson of the Elections Committee shall send written notification to the CVE officer whose recall is being proposed, and shall also notify the other officers of CVE. A copy of the petition shall be enclosed.
4. Monies from CVE's treasury or indirect contributions in the form of use of CVE's assets, facilities, staff equipment mailings, good will and credit, or in-kind services, must not be used in the recall process.
5. CVE may not state or indicate its preference in CVE's newspaper, newsletter or communications to its members.
6. The timeline for gathering of signatures will commence the day that the notice of intent is registered.
7. A maximum of sixty (60) working days shall be permitted to obtain the signatures of at least twenty-five percent (25%) or more of the active members of the chapter.
8. The signed petitions must be received by the Chairperson of the Elections Committee by the specified deadline date.
9. The Elections Committee shall have ten (10) working days after receipt of the petition to verify signatures.
10. If there are insufficient signatures, the chairperson of the Elections Committee shall notify the petition circulator(s) by mail that the petition failed for a lack of signatures.

11. Immediately upon verification of the signatures, the Chairperson of the Elections Committee shall notify the President/designee of the fact that a recall has been initiated.
12. The chapter president, or the Chapter Vice President if the Chapter President is the person being recalled, shall cause a ballot to be furnished to active members no less than twenty (20) working days after verification of membership. The period that school is officially not in session shall not be included in this count.
13. The election must be concluded within fifteen (15) working days of distribution of the ballots.
14. The election must be conducted with the two-envelope process and voter roster sheets.
15. The election shall be certified in accordance to CVE's bylaws.
16. The Chairperson of the Elections Committee will deliver the report to the President of CVE, who will immediately notify all interested parties of the election results. The election results shall be posted at the CVE office electronically and provided to each work site for posting within 5 working days.

XIV. Challenge Procedures

1. Campaign Violations

Campaign complaints must be filed using the Complaint Form by the complaining party with the CVE Elections Chair and Committee within (48) hours of becoming aware of the violation to be considered by the CVE Elections Committee. This form can only be used prior to the elections taking place. Once an election has been held a challenge must be filed.

Upon receipt of a Campaign Violation Complaint Form, the Elections Committee will initiate an investigation. If upon investigation the Committee determines that a violation has occurred, the Elections Committee will determine next following steps.

XV. Staff Involvement

Elections and elections procedures are the responsibility of the Association membership, in particular the elections committees. Association staff provides support and assistance to the local membership and elections committee in meeting these responsibilities. Associate staff assistance shall be in the areas of maintaining a reference copy of the election working established by the Elections Committee, preparing drafts of the various elections documents, and, based on the decisions of the Elections Committee, preparing those documents selected for use by the Elections Committee for distribution. Professional staff responsibility shall be commensurate with their consultant role to the local chapter. Neither Associate staff nor professional staff shall take on responsibility for the decision-making or physical handling of the actual elections procedures and processes.

XVI. Ratification Procedures

A majority vote of all valid ballots will be required to decide all contract ratifications.

- A. The election procedures shall be followed for contract ratification according to the following timeline.

1. 1st week following tentative agreement, the Association shall distribute copies of the tentative agreement to the school sites and all off-track members.
2. 1st week following the tentative agreement a general membership meeting shall be held for the bargaining committee to present the tentative agreement. Opportunity shall be given to each person wishing to speak to the articles. Speaker will be limited to three (3) minutes per article. Those wishing to speak will be asked to give an oral communication request card to the meeting chairperson.
3. No later than the 2nd week those wishing to write pro or con statements concerning the ratification of the contract, may submit, with signature, up to 200 words per article to the CVE office by 5 p.m. the second day following the general meeting. The pro/con statements must be uniform in size and font use (Times Roman 12 pt.). Statements shall not exceed 200 words. If the statement exceeds 200 words only the first 200 words will be printed. No pictures/graphics will be allowed. Copies of these comments shall be distributed as submitted to all school sites and off-track members prior to the vote on contract ratification.
4. The vote for ratification shall take place no later than (3) weeks following the general membership meeting. The voting procedures for contract ratification shall be the same as election procedures.

Appendix A- Sample Timeline for Elections

The following is a sample only and should be adjusted to fit CVE's needs.

March 11	Allow 14 working days for announcement of vacancies to members via publications.
March 30	Declarations of candidacy must be received in the CVE office no later than 4:00 p m on March 30.
April 6	Allow five (5) working days for Acknowledgment of declarations of candidacy.
April 7-20	Allow ten (10) working days for preparation of campaign statements, ballots, and voter registration roster sheets.
April 21-26	Allow 4 working days for distribution of voting materials to work sites and to off-track teachers.
April 27-29	Voting at individual work sites.
April 29	Ballots AND voter roster sheets must be received in the CVE office by 4:00 p.m. on April 29 (Post-marked date not accepted).
April 29	Ballots will be counted at the CVE office on April 29 starting at 3:45 pm. Announcement of results shall be posted at the CVE office and distributed electronically to work sites within 5 working days. If a runoff election is necessary this will be included in the announcement.

Sample Timeline for Run Off Election

- Allow 3 working days after Standardized Testing for preparation of run-off ballots, if necessary.
- Allow 4 working days for distribution of run-off ballots if necessary. A challenge to the election must be received in the CVE office no later than 4:00 p.m. within 10 working days of the posting of results, unless there is a run-off election.
- Allow 4 working days for voting for run-off election at individual work sites. Ballots AND voter roster sheets must be received in the CVE office by 4 00 p.m. the day after completion of voting and will be counted starting at 3:45 p.m. the same day. Announcement of results shall be posted at the CVE office and electronically distributed to work sites within 5 working days.
- A written challenge to the election, including the run-off election, must be received in the CVE office no later than 4:00 p.m., ten (10) working days after results are posted. (Postmarked date not accepted).

Appendix B Sample Announcement

CVE may choose to electronically notify its members of upcoming vacancies through an announcement in its newspaper, newsletter or notice to its members via district mail.

The announcement should include the name of the office(s), the qualifications for each office, the starting and ending date(s) of the term(s), and the deadline date, time, and place where the declaration of candidacy should be filed.

Sample Announcement

ANNOUNCEMENT OF ELECTION

Chula Vista Educators will be holding its election for the offices of President, Vice President, Secretary, and Treasurer during the last week of April __ - __, 20__.

Nominations are open (which means that anyone who is a unit member is eligible to nominate any other unit member, including himself/herself for office). The term for each office is from July 1, 20__, to June 30, 20__.

Anyone wishing to run for office should file a declaration of candidacy form so that it is received at the CVE office, no later than 4:00 p.m. on Wednesday, April 25, 20__. (Post-marked date not accepted).

Appendix C Sample Declaration of Candidacy Form

**Chula Vista Educators
DECLARATION OF CANDIDACY FOR OFFICE**

I hereby declare that I intend to be a candidate for the office of:

OFFICE

TERM OF OFFICE

_____ CVE President

_____ 20__-20__

_____ CVE Vice President

_____ CVE Secretary

_____ CVE Treasurer

I certify that I am a member in good standing of Chula Vista Educators/**CTA/NEA**.

Date: _____

Signed: _____

Name _____
(Please print name as you wish it to appear on the ballot)

School/Work Address: _____

Home Address: _____

School/Work Phone: _____

Home Phone: _____

Cell Phone: _____ Non-School Phone: _____

This declaration must be received at the, CVE office no later than 4:00 pm. on Tuesday, March 30 20___. (Postmarked date not accepted).

Appendix D- Sample Acknowledgment of Declaration of Candidacy Letter

To: Candidate's Name
From: Chula Vista Educators/CTA/NEA
Re: Election
Date: April 1, 20_

This is to acknowledge receipt of your declaration of candidacy for the position of CVE Secretary.

The CVE will publish campaign statements of candidates to members via District mail. Each candidate is eligible to submit a statement of no more than 100 words regarding his/her candidacy. The statement must be received in the CVE office no later than 4:00 pm. on Friday, May 5. Please note that the CVE will print only the first 100 words (not including your name) of the statement: in the event there are more than 100 words, words 101 and on will be omitted.

A candidate may not accept direct contributions from CVE's treasury or indirect contributions in the form of use of CVE's assets, facilities, staff, equipment, mailings, good will or credit. The election will be held at each school/work site between April 15 and 18. Each office requires a majority vote of the ballots cast in order for a candidate to win. If no candidate receives a majority vote on the first ballot, a run-off election will be held between the candidates receiving the two highest votes. The run-off election, if necessary, will be held as per CTA election guidelines. You may have one observer when the ballots are counted at the CVE office on April 19, starting at 3:45 pm Please let our office know the name of your observer before the counting begins. The announcement of the results will be made to leadership, candidates, and members on May 20.

Appendix E- Sample Cover Letter to Association Representatives

To: Association Representatives
From: Chula Vista Educators/CTA/NEA
Re: CVE Elections
Date: April 10, 20__

Enclosed with this mailing is a supply of the following election materials for the Chula Vista Educators unit members:

Campaign Statement one for each member.

Ballot one for each member, plus 3 extra*.

Voter Registration Roster Sheet(s).

Please arrange to have the election conducted at your work site between the dates of April 15-18. Each voter shall receive a ballot and instructions for casting vote. All members should have an opportunity to cast a secret ballot.

If by some chance you do not have enough ballots, please call the CVE office at once. Do NOT duplicate or make your own ballots.

Please return the Voter Roster/ Sheet, all voted ballots, and unused ballots to the CVE office no later than 4:00 p.m. on April 19. (Post marked date not accepted.) Ballots will be counted on April 19, starting at 3:45 p.m.

Enclosures

*If a member incorrectly marks a ballot, mark it "VOID" and give the member a new ballot. Return the Void Ballot, make a note of the circumstance, and initial the Void Ballot.

Appendix F- Sample of Statements from Candidates

Names are listed in the order of the CTA Alphabet:

GTKUSMWPNYDXACQEJVBRHLIOZF

(Please note: the CTA Alphabet changes annually.)

Chula Vista Educators

Campaign statements have been received from candidates for office for 20__ - 20__.

CVE President

BROWN, MARY - (statement here)

BLUE, JOHN - (statement here)

CVE Vice President

PURPLE, DAN - (statement here)

BLACK, ELIZABETH - (statement here)

CVE Secretary

GREEN, DAVID- (statement here)

WHITE, BEN- (statement here)

CVE Treasurer

GRAY, LETITIA - (statement here)

RED, HERMOINE - (statement here)

ORANGE, BRIGETTE - (statement here)

Appendix H- Sample Ballot

Chula Vista Educators

20__ BALLOT FOR OFFICERS

To vote for a candidate place a cross (X) in the square to the right of the name of the candidate for whom you wish to vote. If you wish to vote for a write-in candidate, write in the name space provided and place a cross (X) in the square to the right of the name.

CVE PRESIDENT

VOTE FOR ONE

Term of Office:

BROWN, MARY

BLUE, JOHN

WRITE-IN CANDIDATE _____

CVE VICE PRESIDENT

VOTE FOR ONE

Term of Office:

PURPLE, DAN

BLACK, ELIZABETH

WRITE-IN CANDIDATE _____

CVE SECRETARY

VOTE FOR ONE

Term of Office:

GREEN, DAVID

WHITE, BEN

WRITE-IN CANDIDATE _____

CVE TREASURER

VOTE FOR ONE

Term of Office:

GRAY, LETITIA

RED, HERMIONE

ORANGE, BRIGETTE

WRITE-IN CANDIDATE _____

Return this ballot to your building representative no later than 4:15 p m on April 18. Your association representative must turn in the ballots to the CVE office no later than 4:00 p.m. on April 19, in order for the ballots to be counted.

Appendix I - Sample Teller's Report

		300	11	289	146	109 146 34		
	CVE TREASURER				Majority	Gray, Letitia Red, Hermione Orange, Brigitte		_____ _____ _Teller
		300	0	300	151	100 200		
	CVE SECRETARY				Majority	Green, David White, Ben		_____ _____ Teller
		300	6	294	148	145 146 3		
	CVE VICE-PRESIDENT				Majority	Purple, Dan Black, Liz Mustard, Don		_____ _____ _Teller
		300	17	283	143	175 102 6		
	CVE PRESIDENT							_____ _____ Teller

CVE – Teller’s Report		TOTAL BALLOT S CAST	BLANK & ILLEGA L BALLOT S	LEGAL BALLOT S CAST	# of Votes Neede d to Elect	Candidates		_____ ____Da te
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Appendix J - Sample Announcement of Results

The CVE Elections Committee is announcing the results of the election held between May 15-18 20__, for CVE Officers for 20__

CVE PRESIDENT

Total Ballots Cast	300
Blank and Illegal Ballots	17
Legal Votes Cast	283
Number of Votes Needed to Elect	143
Mary Brown	175
John Blue	106
Kitty Yellow (write-in)	6

CVE VICE PRESIDENT;

Total Ballots Cast	300
Blank and Illegal Ballots	6
Legal Votes Cast	294
Number of Votes Needed to Elect	148
Dan Purple	145
Elizabeth Black	146
Colonel Mustard (write-in)	3

A run-off election will be held between Elizabeth Black and Dan Purple since no candidate received a majority of the votes cast on the first ballot.

The run-off election will be held between June 1-5 at the individual school/work sites.

CVE SECRETARY

Total Ballots Cast	300
Blank and Illegal Ballots	0
Legal Votes Cast	300
Number of Votes Needed to Elect	151
David Green	100
Ben White	200

CVE TREASURER

Total Ballots Cast	300
Blank and Illegal Ballots	11
Legal Votes Cast	289
Number of Votes Needed to Elect	146
Leticia Gray	109
Hermione Red	146
Bridgette Orange	34

Appendix K Sample Recall Petition

Pursuant to the provisions of Article IV Section 3 of Chula Vista Educators Bylaws, the undersigned members of Chula Vista Educators submit this petition signed by 25% of the active voting members of CVE and respectfully seek the recall and removal of _____ from the office of _____.

Name(s) and chapter affiliate(s) of person(s) filing petition

Name	Chapter Affiliate

Registered, prior to circulation, with the Chula Vista Educators President and Elections Chair on _____ and filed with the CVE Elections Chair on _____ within 30 days of the end of circulation.

Each signature must be in ink

Print Name	Signature	Chapter Affiliation	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			

Appendix M — Elections Challenge Template

Elections Challenge Form

In order to file a challenge to a CVE election, the challenger(s) shall complete the following items and attach copies of all documents required to support the challenge.

The challenge as represented in this form with attachments shall first be submitted to the CVE's election committee and president within the timelines as specified in the CVE's governing documents. If challenge language is not mentioned in the documents, the challenge language in CTA's Chapter Election Requirements shall be followed.

I/we wish to file a challenge to an election as follows:

Challenger 1:	Day Ph:	Fax #
	Evening Ph:	
	Cell Ph:	
	Personal email address:	
Street #:		
City/Zip:		
Challenger 2:	Day Ph:	Fax #
	Evening Ph:	
	Cell Ph:	
	Personal email address:	
Street #:		
City/Zip:		
Challenger 3:	Day Ph:	Fax #
	Evening Ph:	
	Cell Ph:	
	Personal email address:	
Street #:		
City/Zip:		

(If there are additional members to this challenge please include their information on a separate page & attach).

Type of Election (check only those that are being challenged): Local officer position(s) being challenged:
 President: _____ Vice Pres: _____ Treasurer: _____ Secretary: _____ Director(s): _____ Other: _____
 _____ State Council Representative _____ State Council Alternate _____ Local NEA RA
 Delegate: _____ State NEA RA Delegate: _____

Date(s) Election Held
Date Results Posted
Initial Date Challenge Filed

Violation(S) Of Election Procedures: Include the specific section violated and indicate if the section is from the chapters/CVE's Bylaws/Standing Rules/Election Procedure(s) or the section of the CTA Chapter Elections Manual.

(28)

