

Southwestern College Education Association (SCEA)/CCA/CTA/NEA

Bylaws

ARTICLE I NAME AND LOCATION

The official name of this Association shall be the Southwestern College Education Association (SCEA)/CCA/CTA/NEA in San Diego County.

ARTICLE II PURPOSES

The primary purposes of this Association shall be:

- A. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To raise the standards of the teaching profession;
- E. To raise the standards for education support professionals;
- F. To provide a means of representation for its ethnic-minority members;
- G. To promote professional attitudes and ethical conduct among members;
- H. To encourage cooperation and communication between the profession and the community;
- I. To foster good fellowship among members; and
- J. To advance the general welfare of the Southwestern Community College District.

ARTICLE III
AFFILIATION WITH CCA/CTA/NEA

- A. The Southwestern College Education Association shall be a chartered chapter of the Community College Association (CCA).
- B. The Southwestern College Education Association shall be a chartered chapter of the California Teachers Association (CTA).
- C. The Southwestern College Education Association shall be an affiliated local association of the National Education Association (NEA).

ARTICLE IV
MEMBERSHIP

- A. Categories of Membership. The primary category of membership shall be Active members.
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of Southwestern Community College District, and whose primary assignment is such as not to hold supervisory responsibility over other faculty members to such an extent as not to be represented in the negotiations process by the bargaining unit.
- C. Active membership may be granted upon initiation of payroll deduction (or upon payment of annual SCEA/CCA/CTA/NEA dues) and the signing of the membership application. Agency Fee Payers and Religious Objectors are not Active members.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- E. Only 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.
- F. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association, and is not an Active member.
- G. Active members shall adhere to The Code of Ethics of the Education Profession.

- H. The rights to and privileges of membership shall not be abridged in any way because of age, sex, disability, race, 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 September 1 of any given calendar year through August 31 of the following calendar year, inclusive.
- K. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

ARTICLE V
DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of the Association, the dues of CCA, the dues of CTA, and the dues of NEA.
- B. The basic annual dues level for Active members shall also be sufficient to cover dues of the Association's affiliation with the AFL-CIO.
- C. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative Council of the Association at the last regular meeting of the school year.
- D. The Association shall apportion any negotiated representation fee on the same percentage basis as the full SCEA/CCA/CTA/NEA dues.
- E. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

ARTICLE VI
POLICY-MAKING BODY

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of Active members of

the Association, derives its powers from and shall be responsible to the Active membership.

B. The Representative Council shall be composed of the following Active members:

1. Elected Executive Board, ex officio-voting;
2. Full-time faculty representatives elected on the basis of one-person-one-vote, as defined in the Designated Discipline Area and Election Cycle Chart (Appendix A);
3. Part-time faculty representatives currently employed by the District and nominated and elected on the basis of one-person-one-vote from the part-time faculty within each school.
4. Members of the Representative Council shall serve a term of two (2) years and shall be elected as representatives from each of the designated areas listed in the Designated Discipline Area and Election Cycle Chart (Appendix A). Any changes to the distribution will be voted on the Representative Council.

C. The Representative Council shall:

1. Establish Association policies and objectives;
2. Adopt the annual budget of the Association on or before the first meeting of the academic year;
3. Approve the establishment or discontinuance of committees recommended by the Executive Board;
4. Approve the contract negotiations goals for the academic year;
5. Direct the bargaining activities and grievance processing of the Association;
6. Approve bargaining team members;
7. Establish the dues of the Association;
8. Serve as initial contact for faculty within their disciplines when possible contract violations occur.

- D. The Representative Council shall meet a minimum of ten (10) times per year, the number and place of such meetings to be decided by the Executive Board in agreement with the SCEA contract.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the Active membership.
- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- I. All regular, special, and emergency meetings of the Representative Council shall be open to all bargaining unit members of the Association.
- J. Each member of the Representative Council may designate an alternate representative as necessary.
- K. Only Representative Council members, or the approved alternate, shall vote on Association agenda items during Representative Council meetings.
- L. It is the responsibility of each representative to notify the SCEA Secretary of reasons for not attending Representative Council meetings.
- M. Representative Council members are expected to attend Council meetings on a regular basis.
- N. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council, per CTA requirements.

ARTICLE VII
FACULTY REPRESENTATIVES

- A. Faculty representatives shall be elected by and from the active membership for each faculty group indicated in APPENDIX A, Designated Discipline Area List. Such elections shall be by open nominations and by secret ballot.
- B. Faculty representatives shall serve a term of 2 years.
- C. Each School, as listed in APPENDIX A, shall be entitled one part-time representative. Each Designated Discipline Area shall have one full-time representative for each 8 Active members on the faculty, or major faction thereof.
- D. Active members who are not represented through an individual school faculty group shall be placed in a Designated Discipline Area and entitled to the same representation on the Representative Council (See APPENDIX A).
- E. Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Faculty Representatives Shall:
 - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the Designated Discipline Areas;
 - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and members;
 - 3. Represent the views and input of the Active membership of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
 - 4. Perform such additional duties as prescribed by the Executive Board.
- G. A Faculty Representative shall not conduct an election in which he/she is a candidate.

ARTICLE VIII
OFFICERS

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, a Treasurer, and a Part-Time Faculty Representative.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the Active membership of the Association. Such election shall be by open nomination and secret ballot.
- D. Executive board members shall be subject to recall election. In such an event a majority vote of the Active membership will be needed to remove him or her from office. This vote will be subject to a recall under the guidelines listed in Article XII (Elections) Section S (Recall Procedures).
- E. To serve as an officer of the Association, the faculty member must be a current bargaining unit member. If the officer accepts any position at Southwestern College, which is outside the bargaining unit (or the officer is no longer an employee of the Southwestern Community College District), he/she must resign the office immediately.
- F. Officers shall be elected for a term of two (2) years. They shall assume the duties of their respective offices the day after spring graduation.
- G. A vacancy shall be deemed to exist in the case of death, resignation, recall, or inability to serve in any of the offices of the Association
- H. 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 and in every other way endeavor to promote the interests and purposes of the Association, the CTA, and the NEA;
2. Prepare the agenda for the meetings of the Association, the Representative Council, and the Executive Board;
3. Be the official spokesperson for the Association;

4. Be familiar with the governance documents of the Association, CTA, and NEA;
 5. Be familiar with the governance documents of the AFL-CIO;
 6. Appoint all chairpersons and members of committees with the approval of the Executive Board by the beginning of each school year;
 7. Appoint the chairperson and the members of the Bargaining Team with the approval of the Executive Board by the beginning of each school year;
 8. Call meetings of the Association, Representative Council, and the Executive Board;
 9. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
 10. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
 11. Be an ex-officio member of all committees;
 12. Co-sign all checks, with the Treasurer, drawn upon the treasury;
 13. Attend meetings of the Service Center Council of which the Association is a part; and
 14. Attend other CTA/NEA meetings as directed by the Representative Council.
- I. The Vice-President shall:
1. Serve as assistant to the President in all duties of the President;
 2. Assume the duties of the President in the absence of the President;
 3. Serve as ex-officio member of all Association committees;
 4. Be responsible for the formation and distribution of the Association's calendar of activities;
 5. Serve as coordinator of committee activities at the direction of the President; and

6. Be an ex-officio member of the Association's Political Action Committee (PAC) and serve as the liaison between the PAC and the Executive Board.

J. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members of the Representative Council, Executive Board, and to the membership when appropriate;
3. Keep an accurate roster of the membership of the Association and of all committees;
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President;
5. Coordinate all Association communications including the SCEA website and newsletters;
6. Coordinate voting pertaining of contract ratifications and Memorandums of Understanding (MOU's) according to Article XII; and
7. Conduct surveys and communicate results to the Executive Board and membership as necessary.

K. The Treasurer Shall:

1. Draft a tentative budget for the academic year by the first Executive Board meeting in August. The Executive Board will provide input and agree to a budget that will be presented to the Representative Council for ratification at the first Representative Council meeting of the fall semester;
2. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
3. Pay out such funds upon the orders of the President per CTA guidelines.

4. Provide a financial report for each regular meeting of the Representative Council and Executive Board;
 5. Prepare and co-sign Association checks;
 6. Coordinate conference reimbursements;
 7. Be responsible for an annual audit by a certified public accountant of the books of the Association and distributing a summary of this audit to the membership; and
 8. Be responsible for submitting membership and financial reports to CTA, NEA, other agencies as required by law.
- L. The Part-Time Faculty Representative shall:
1. Represent the interests of the part-time faculty members;
 2. Attend General Association, Representative Council, and Executive Board meetings;
 3. Attend SCEA/CTA training sessions; and
 4. Refer part-time faculty complaints, contract and disciplinary issues to the Grievance Committee.
 5. Communicate with Part –time faculty via the SCEA website, and other avenues as appropriate.

ARTICLE IX EXECUTIVE BOARD

- A. Executive Board shall be composed of the elected officers (may include members at-large from the Active membership as long as this complies with the “one-person, one-vote” rule).
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The Executive Board shall meet prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.

- D. The duties and the responsibilities of the Executive Board are:
1. Coordinate the activities of the Association;
 2. Act for the Representative Council when the college is not in session;
 3. Direct the bargaining activities of the Association, subject to policies established by the Representative Council;
 4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
 5. Recommend a budget for the Association to the Representative Council;
 6. Approve by majority vote all appointment and removal of committee members, including chairpersons;
 7. Adopt the Standing Rules for the Association;
 8. Adopt grievance procedures;
 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 imposed by the Representative Council.
- E. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body.

ARTICLE X
MEETINGS OF THE GENERAL MEMBERSHIP

- A. Meetings of the Association may be called by the President, the Executive Board, or by written petition of twenty percent (20%) of the Active membership.
- B. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all members of the Association at least two (2) days before the meeting except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board

shall adopt procedures to notify the Association membership of meeting dates, places and times.

- D. A quorum for meetings of the Association shall be 20% of the Active membership.

ARTICLE XI BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the President with the concurrence of the Executive Board from the list of alternates.
- D. The Executive Board, by a two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. The Bargaining Team shall be under the direction of the Executive Board and shall report its activities to the Executive Board as the Board requires, per CTA requirements.
- F. The Bargaining Team is empowered to reach Tentative Agreements (TA's) with the district subject to ratification by the Active membership.
- G. Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Board subject to policies established by the Representative Council.
- H. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands and contract proposal for each appropriate unit shall be approved by Representative Council in that unit.
- I. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the Representative Council and General Membership.

- J. Tentative Agreements reached between the Bargaining Team and the Governing Board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the Active membership unless such ratification shall have been specifically waived or otherwise delegated by that Active membership.
- K. The Bargaining Team is empowered to reach Memorandums of Understanding (MOU's) with the district subject to ratification by the Representative Council.
- L. Employees in the bargaining unit shall be surveyed prior to the opening of successor contract negotiations to determine which Articles of the contract they wish the Bargaining Team to sunshine.

ARTICLE XII
GRIEVANCE PROCESSING

- A. The President with the approval of the Executive Board shall appoint a Grievance Chair.
- B. There shall be a Grievance Committee consisting of: the President (or designee), the Vice-President, the Grievance Chair and one other Active member appointed by the President, in concurrence with the Executive Board.
- C. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- D. 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 grievances;
 - 2. Training for handling grievances; and
 - 3. Evaluation of the Association's grievance policies and procedures.

ARTICLE XIII
NOMINATIONS AND ELECTIONS (Previously Article XII)

The chapter president shall provide Members with an opportunity to vote in all elections. Chapter presidents do not have the option of deciding whether an election shall be held.

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

ARTICLE XIV
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.

ARTICLE XV
PARLIAMENTARY AUTHORITY

- A. *Robert's Rules of Order, Newly Revised*, latest edition, shall be followed at all official meetings of the Association, the Representative Council, and the Executive Board.

ARTICLE XVI
AMENDMENTS/PROCEDURES

- A. These bylaws may be amended by a two-thirds (2/3) vote of the Representative Council, at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

ARTICLE XVII
ELECTION STANDING RULES – NOMINATIONS AND ELECTIONS

- A. Elections Committee
 - 1. There shall be an Elections Committee.
 - 2. The Elections Committee and Chairperson shall be appointed by the President and approved by the Executive Board, to which it is responsible, by the first Association or Representative Council meeting in fall semester of each school year.
 - 3. The Committee will be composed of at least three (3) members who are not on the Executive Board, who are familiar with SCEA operations, and who are not seeking election.
 - 4. The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.

5. Any Association member who is either a candidate on the ballot or whose immediate family member is a candidate shall abstain from all Elections Committee activities on that particular ballot.
6. The Elections Committee shall conduct the election of SCEA officers and coordinate the election of Representative Council members.

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).
2. Nominations to an elected SCEA office shall be forwarded to the SCEA Elections Committee Chair through an approved electronic or school mail format by the end of the SCEA meeting on the fourth Thursday in March.
3. Nominations may also be made from the floor of an Association or Representative Council meeting, with the consent of the nominee, prior to the close of the nominating period.
4. Every Active member shall be assured of voting by secret ballot.
5. There shall be at least a fifteen (15) calendar day period between notice of election and the actual voting.
6. There shall be an all Active Member vote. A member who is off track or is on dues-paying leave shall be sent election information by mail to his/her last known residence or Southwestern College e-mail address.
7. All Active members will have the opportunity 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.
8. An Active member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot. If a roster/sign-up sheet for Active members is prepared for a school site ahead of time, initials of the member shall be accepted.
9. Elections shall be conducted before the end of April.

C. Announcement

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

D. Timeline

1. Schools/worksites on alternative calendars shall be considered when setting election timelines.
2. At the conclusion of the election cycle, the Elections Committee will establish the calendar for elections for the next academic year.
3. The timeline for the election shall include dates for:
 - a. Announcement of vacancy(ies) and term(s) of office using a method that will ensure each member is aware of the opportunity to file a declaration of candidacy;
 - b. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;
 - c. Place, time and date of receipt (date received, not post-marked date) for declaration of candidacy forms;
 - d. Final date to acknowledge candidates' declaration of candidacy;
 - e. Date for preparation of ballots;
 - f. Date on which ballots will be distributed;
 - g. Date by which to request a ballot;
 - h. Date(s) when voting will take place;
 - i. Deadline date (date received, not post-marked date), time and place for return of ballots;
 - j. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots;

- k. Date that announcement of results shall be made to leadership, candidates, members, and posted, which date shall be not later than five (5) calendar days following the counting of ballots;
- l. Dates and timelines for run-off election, if necessary; and,
- m. Deadline for filing of challenges to initial election and run-off if held (date received, not post-marked date).

E. Finances and Use of Unit Resources

1. Chapter monies received through dues, assessment or similar levy shall not be used to promote any candidate.
2. A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.
3. A unit may not state or indicate its preference for a candidate in the unit's publications.
4. The use of links to any Association web site by a candidate is prohibited.
5. The Association shall not make available personal emails to candidates.
6. District email addresses and/or systems shall not be used for campaigning.
7. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of SCEA, 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 timeline, procedures and guidelines.
3. Each candidate shall have the right to a list of the name and address of work sites and the number of Active members at each

site for the purposes of campaigning.

G. Ballot

1. The names of the candidates shall be printed on the ballot in CTA alphabetical order. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.
2. 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.
3. The ballot shall state the name of the office/position, the term, and the names of the candidates.
4. The ballot shall include space for a write-in candidate, except in run-off elections.

H. Distribution of Ballots and Methods of Voting

- B Each method of voting will be included in the Association's standing rules in order for the bylaws and standing rules to be in compliance with CTA. Each member shall receive a ballot.
- C Active members who are off-track or who are on a dues-paying leave shall be notified by mail in order to provide them an opportunity to vote.
- D Voting shall one, or a combination of the following methods:
 - a. At School/worksite/specified voting site.
 - 1) On Site Voting - Using Envelopes
When voting is conducted at school or specified sites using envelopes, the procedures shall be as follows:
 - a) A list of current Active members shall be prepared, which includes each member's name and school/work address.
 - b) The voter shall be provided with the following:
 - i. A ballot;

ii. Instructions on:

1. Folding and placing of the ballot in the unsigned inner envelope;
2. Placing of the unsigned inner envelope into the outer envelope;
3. Signature and school on the outer envelope addressed to the chapter; and
4. Deadline date for receipt of the voted ballot at the SCEA office.

iii. A small envelope (inner envelope) in which to place the voted ballot; and

iv. 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. Refer to section N for the "Counting Ballots" procedure.

b. Voting By Mail

Special care should be taken in all phases of handling of ballots to ensure the accuracy and secrecy of voting by mail.

The following procedures and guidelines have been developed for this situation:

- 1) A list of current Active members shall be prepared, which includes the following: name, school/work and home address.
- 2) 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.
- 3) Follow the same procedures as described in Section H.3.B (On-Site Voting Using Envelopes) above.

I Electronic Voting

Electronic voting is only permitted through the CTA Elections and Credentials Committee and CTA Board approval. See *Requirements for Chapter Elections Procedures*, Section VII.4. pages 4-5 for requirements.

J. Vote Requirement

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

1. A majority vote means more than half of the legal votes cast for each office/position on the ballot.
2. A plurality vote means the largest number of votes to be given any candidate or issue.
3. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast.
4. For SCEA officers, the election will be by majority.
5. If no candidate receives a majority vote, a run-off election shall be conducted among the two candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. There shall be no provisions for write-in candidates in run-off elections.
6. For additional CTA/NEA election guidelines refer to the official CTA

Elections Manual.

K. Counting Ballots

1. The Elections Committee shall verify signature sheets with ballots received, count the ballots, which should be completed immediately following the deadline for receipt of voted ballots.
2. Each office/position on the ballot shall be treated as a separate race.
3. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
 - a. Member not listed on the voter roster;
 - b. Voter's intent unclear;
 - c. Votes cast for more than number allowed;
 - d. Votes cast on unofficial ballot (probably reproduced);
 - e. Candidate is not a member.
4. Ballots set aside and not counted are:
 - a. More ballots than signature;
 - b. Ballot(s) received after deadline;
 - c. Voting envelopes without a signature; and
 - d. Ballots that are separated from Roster/Sign-up sheet.
5. The Elections Committee should categorize each illegal ballot, make a determination of whether the vote(s) in that category should be counted separately, as listed in 4 above, and make a note of the decision. The ballots should remain separate.
6. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.

7. The Chairperson of the Elections Committee will deliver the report of the election results to the President and interested parties. The election results shall be posted as soon as possible following the election.
8. The ballots and voter sign-up sheets should be retained by the unit for one year after the election.

O. Observers

1. Each candidate shall be allowed to have one observer, who may be the candidate, at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
2. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results and has notified each candidate of the results. The observer must maintain the confidentiality of the election process.

P. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been posted.
2. The challenging party(ies) must notify the SCEA President and Elections Chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the election. If the SCEA President is a candidate on the ballot, please see item number 4. The notification must be on the official CTA Challenge Form. (See Appendix M of CTA Elections Manual – may be accessed on MyCTA)
3. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit's Elections Committee shall, in accordance with the SCEA bylaws and standing rules, conduct an investigation and determine whether or not the challenge:
 - a. Is a violation of the unit'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; and

- d. Identified violation(s) that may have affected the outcome of the election.
 - e. Within the same ten (10) calendar day period, the SCEA Elections Committee shall submit a written report including issues and recommendations to the SCEA President and the Executive Board.
4. Any member of the Executive Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. If in the case where the majority of the Executive Board is unable to act on the challenge the decision shall move to the next highest decision making body according to the unit's governance documents.
 5. The Executive Board shall act on the report no later than ten (10) calendar days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in Appendix O – CTA Challenge Procedures – Local Elections of CTA Elections Manual. The Executive Board must issue its decisions in writing to the challenger and the Elections Committee Chair.
 6. If the Executive Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described in 7 (a-c) below by writing to the CTA President.
 7. If the challenging party(ies) wish(es) to appeal the decision of the SCEA's governance body, he/she may file an appeal in writing within ten (10) calendar days from the date of the decision of the governance body to the CTA President. The appeal shall be the original challenge filed at the unit level, and shall include:
 - a. Specifically which SCEA bylaw(s) and/or standing rule(s) have been violated;
 - b. Attached evidence of the violations, insofar as possible;
 - c. List names and address of parties who can give evidence; and
 - d. Written response of unit's governance body to original challenge.

Q. 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. An Active member shall file a notice of the intent to circulate a petition with the SCEA 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 SCEA President shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60%) or more of the Active members of the SCEA. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the SCEA President the petition(s) containing original signatures.
6. The SCEA President shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator will be notified within three (3) calendar days that the petition failed for a lack of signatures.
8. The SCEA President shall cause a ballot to be furnished to the Active members no less than fifteen (15) calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g. election of officers) shall be followed including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes.

R. Referendum Procedures

1. Any action or proposed action of the referring body 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.

2. The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
3. The SCEA President shall cause a ballot to be furnished to the Active members no less than 15 calendar days after action by the referring body, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g. election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

S. Recall Procedures

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by the SCEA's Active members.
2. Any Active member(s) desiring to recall an SCEA officer must file a copy of a petition with the chairperson of the Elections Committee before it can be circulated.
3. The petition must include the following information:
 - a. Name of individual who is the subject of the recall;
 - b. Office of individual;
 - c. Date of petition;
 - d. Name(s) of person(s) filing petition;
 - e. Notation that "Each signature must be in ink"; and,
 - f. Space must be provided for the printed name, signature, and date of signing for each name on the petition.
4. Within fourteen (14) working days after receipt, the chairperson of the Elections Committee shall determine whether the petition contains the necessary information.
 - a. If the petition does not contain the necessary information, the Chairperson of the Elections Committee shall so notify

the petitioner(s).

- 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 officer whose recall is being proposed and shall also notify the other SCEA officers. A copy of the petition shall be enclosed.
5. Monies from SCEA's treasury or indirect contributions in the form of use of SCEA's assets, facilities, staff, equipment, mailings, good will and credit, or in-kind services must not be used in the recall process.
 6. No unit may state or indicate its preference in the unit's newspaper, newsletter or communications to its members.
 7. The timeline for gathering of signatures will commence the day that the notice of intent is registered.
 8. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least twenty-five percent (25%) of the Active members of the chapter. If the person subject to the recall was not elected by the general membership, then the signature requirement is twenty-five percent (25%) of the members of the electing constituency.
 9. The signed petitions must be received by the chairperson of the Elections Committee by the specified deadline date.
 10. The Elections Committee shall have ten (10) calendar days after receipt of the petition to verify signatures.
 11. If there are insufficient signatures, the chairperson of the Elections Committee shall notify the petition circulator(s) by mail within five (5) calendar days of verifying the signatures that the petition failed for a lack of signatures.
 12. Immediately upon verification of the signatures, the chairperson of the Elections Committee shall notify the president/designee of the fact that a recall has been initiated.

13. The SCEA President, or the SCEA Vice-President if the President is the person being recalled, shall cause a ballot to be furnished to Active members no less than twenty (20) calendar days after verification of signatures. The period that school is officially not in session shall not be included in this count.
14. The election must be concluded within fifteen (15) calendar days of distribution of the ballots.
15. The election must be conducted with provisions for a secret ballot.
16. The election shall be certified in accordance to SCEA's bylaws.

II. Contract Ratification

A. The Secretary shall:

1. Provide the Executive Board the voting procedures for each contract or MOU ratification;
2. Provide a timeline for the ratification process which shall include at least seven (7) working days between notice of the election and the completion of voting;
3. Prepare and distribute the proposed contract language to all Active members; and
4. Prepare and distribute the ballot to all Active members.

B. The vote shall be by secret ballot;

C. All Active member vote;

D. Record of voters receiving or casting ballots; and

E. Majority vote, unless otherwise specified.