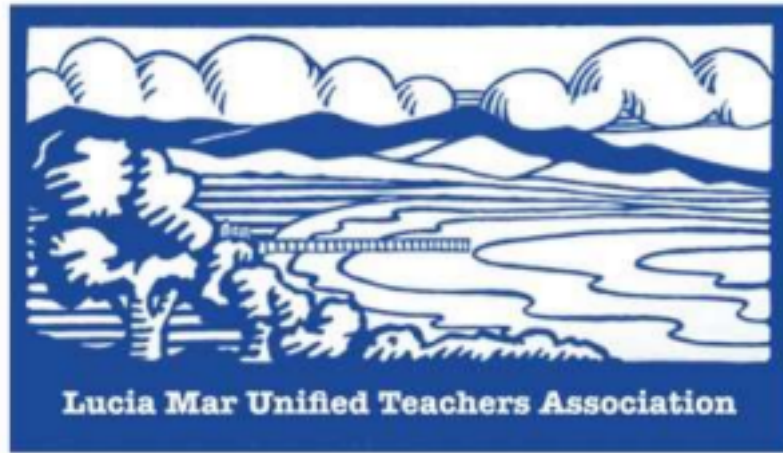


CTA GOV DOCS REVIEW CMTE

Reviewed by: _____

Date: 3/10/2021

Charter #0812



**CALIFORNIA TEACHERS ASSOCIATION
NATIONAL EDUCATION ASSOCIATION**

BYLAWS AND STANDING RULES

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Code of Ethics of the Education Profession

Preamble

The National Education Association believes that the education profession consists of one education workforce serving the needs of all students and that the term 'educator' includes education support professionals.

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

PRINCIPLE I Commitment to the Student

Principle I Commitment to the Student The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. In fulfillment of the obligation to the student, the educator—

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.

5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly— A. Exclude any student from participation in any program; B. Deny benefits to any student; C. Grant any advantage to any student.
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

PRINCIPLE II

Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator—

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent their professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a noneducator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

Mission Statement

Adopted 1-25-2017

The Lucia Mar Unified Teachers Association (LMUTA) is the representative body of the teachers and other certificated educational specialists of the Lucia Mar Unified School District. We are members of the California Teachers Association (CTA) and the National Education Association (NEA).

We are dedicated to advocacy for our students, fair and equitable working conditions for our members, and the advancement of our profession. We believe that public education is a pillar of our democracy, and we strive to educate our students in the principles of good citizenship, justice, and equality.

SECTION 1

BYLAWS

Bylaws can only be changed by the Site Representative Council (example: simple majority vote of the Site Representatives).

I. Name and Location

The official name of this Association shall be the Lucia Mar Unified Teachers Association/CTA/NEA located in San Luis Obispo County.

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 promote cooperation and communication between education support professionals and certificated educators;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and community; and
- H. To foster good fellowship among members.

III. Affiliation with CTA/NEA

- A. The Lucia Mar Unified Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Lucia Mar Unified Teachers Association shall be an affiliated local association of the National Education Association (NEA).

IV. Membership

- A. 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 Lucia Mar Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.

- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- E. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.
- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin, or sexual orientation.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. 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.

V. **Dues and Assessments**

- A. The basic annual dues level for Active members shall be sufficient to cover the operation expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues shall be established by action of the Representative Council of the Association at the last regular meeting of the school year.
- C. 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.

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. Voting members of the Executive Board;
 2. Representatives elected on the basis of one person one vote;
 3. Active members of a chapter shall have the right to attend and observe official meetings of the Representative Council. Business shall be conducted by duly-elected Representatives or Seated Alternates.
 4. State Council Representatives;
 - a) Single Chapter Representative(s) – voting members
 - b) Multiple Chapter Representative(s) – *ex-officio*, non-voting member unless otherwise elected to 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 school year;
 3. Approve the establishment or discontinuance of committees recommended by the Executive Board; and
 4. Establish the dues of the Association.
- D. The Representative Council shall schedule meetings monthly during the school year. The number, place and time of meetings to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the 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. Representative Council meetings that are connected electronically may be held if members may interact in the meeting. Members at all sites shall be able to be seen and heard by the entire Representative Council, allowing complete participation. A roll call attendance and subsequent votes shall be conducted by the Secretary.
- J. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

VII. **Representatives**

- A. Representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot. An election for school site representatives 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.
- B. Representatives shall serve a term of one (1) year.
- C. Each faculty, site or site unit shall be entitled to at least one representative and shall have one representative for each fifteen (15) Active members on the staff, or major fraction thereof. For LMUTA, 0-22 = 1 rep., 23-37 = 2 reps., 38-52 = 3 reps., 53-67 = 4 reps., 68-82 = 5 reps., 83-97 = 6 reps., and 98-102 = 7 reps.
- D. Active members who are not represented through an individual school group shall be counted as special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Representatives shall:
 - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty/site unit;
 - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members;
 - 3. Represent the views and input of the Active membership 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 Representative shall not conduct an election in which he/she is a candidate.

VIII. **Officers**

- A. The officers of the Association shall be a President, a First Vice President, a Second Vice President, a Secretary, a Treasurer, and a Membership Chairperson. The State Council Representative is currently a multiple chair seat elected by both Lucia Mar Unified Teachers Association and San Luis Coastal Teachers Association membership and therefore not elected by only LMUTA members. Therefore, this position is non-voting.
- 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 term of office.
- C. These officers shall be elected by and from the Active membership of the Association. Such election shall be open nominations and secret ballot.

- D. Officers shall be elected for a term of two (2) years, commencing on June 15 of any calendar year. The President, Second Vice President and Secretary are elected in even numbered years. The First Vice President, Treasurer and Membership Chairperson are elected in odd numbered years.
- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the officers of the Association. If there is a vacancy occurring in the office of the President, the First Vice President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
- F. The President shall be the chief executive officer of the Association and its policy leader.

The President shall:

- 1. Preside at all meetings of the Association, the Representative Council and Executive Board;
 - 2. Prepare the agenda for the 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. Appoint all chairpersons and members of committees with the approval of the Executive Board at the beginning of each school year;
 - 6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board by the beginning of each school year.
 - 7. Call meetings of the Association, Representative Council and the Executive Board;
 - 8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
 - 9. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
 - 10. Attend meetings of the Service Center Council of which the Association is a part; and
 - 11. Attend other CTA/NEA meetings as directed by the Representative Council.
 - 12. Sign all checks as presented by the Treasurer for payment drawn upon the Treasury.
- G. The First and Second Vice Presidents shall:
 - 1. Serve as assistants to the President in all duties of the President;
 - 2. The First Vice President, unless unable to do so, or the Second Vice President will assume the duties of the President in the absence of the President;
 - 3. Be responsible for the formation and distribution of the Association's calendar of activities; and
 - 4. Serve as coordinator of committee activities at the direction of the President.

- H. 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 Executive Board;
 - 2. Be responsible for distribution of all minutes, notice of meetings, and agendas for all meetings to members of the Representative Council and Executive Board; and to the membership when appropriate;
 - 3. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
- I. The Treasurer shall:
 - 1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
 - 2. Pay out such funds upon orders of the President and sign all checks drawn upon the Treasury;
 - 3. Prepare a written financial report for each regular meeting of the Representative Council and Executive Board;
 - 4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership; and
 - 5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.
- J. The Membership Chairperson shall:
 - 1. Serve as the membership liaison with regards to LMUTA/CTA/NEA benefits and membership recruitment; and
 - 2. Keep an accurate roster of the membership of the Association and of all committees.

IX. Executive Board

- A. The Executive Board shall be composed of the elected officers (and may include members elected 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 responsibilities of the Executive Board are:
 - 1. Coordinate the activities of the Association;
 - 2. Act for the Representative Council when school 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 appointments 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 local Standing Rules for the Association;
 8. Adopt grievance procedure;
 9. Direct the grievance activities of the Association; and
 10. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these Bylaws, subject to any restrictions that may be 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.

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 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. General Membership meetings may be held in an electronic format, such as a webinar, only for the purpose of dispensing information to members, provided that all bargaining unit members are invited to be a part of the webinar with the ability to ask questions and hear all responses. Voting on action items during a webinar is strictly prohibited.
- E. A quorum for meetings of the Association shall consist of a majority of the Active membership.

XI. Bargaining Team

- A. The duties of the Bargaining Team are to represent and to bargain for the 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 Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the Representative Council.
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands. The Representative Council shall approve the contract articles to be bargained.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

XII. Grievance Processing

- A. The Executive Board shall adopt, with approval of the Representative Council, the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
 - 1. Provide for representation to assist all members of the bargaining unit(s) in processing grievances;
 - 2. Training for handling grievances; and
 - 3. Evaluation of the Association's grievance policies and procedures.

XIII. Nominations and Elections

The Chapter shall follow, and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the *CTA Elections Manual*.

The chapter president must provide Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held. Except for NEA-RA Local Delegate and local site representative elections where, following a period of open nominations, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled. LMUTA adopted this election policy in 2016.

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. 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.

- 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 in accordance with CTA rules after the chapter or Service Center Council has been notified to do so by the CTA Elections and Credentials Committee.

- D. NEA State Delegate elections shall be conducted in accordance with CTA/NEA rules.

- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.

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.
- C. The Executive Board shall direct the activities of all committees, subject to the policies established by Representative Council.

XV. **Parliamentary Authority**

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

XVI. **Amendments**

These Bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed 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.

SECTION 2 Political Action Fund

Chapter Resolution for Forming a Political Action Fund

The Executive Board of the Lucia Mar Unified Teachers Association, recognizing the need to provide financial support for the political activities called for in the Association Bylaws, does hereby adopt the following resolution:

Whereas: The Lucia Mar Unified Teachers Association endorses and actively supports candidates for public office and initiatives that support public education, and

Whereas: The Association recognizes the importance of funding support for the endorsed candidates for public office and initiatives that support public education,

Therefore Be It Resolved that:

The Executive Board adopts this resolution to establish the Lucia Mar Unified Teachers Association Political Action Fund for the purpose of establishing a Political Action Committee to fund Association endorsed local candidates and initiatives.

**BYLAWS FOR THE
LUCIA MAR UNIFIED TEACHERS ASSOCIATION
POLITICAL ACTION COMMITTEE**

ARTICLE 1 — PURPOSES

The Lucia Mar Unified Teachers Association Political Action Committee (hereinafter the PAC) is established for the following purposes:

- 1.1 To inform Lucia Mar Unified Teachers Association, CTA/NEA (hereinafter the Association) members of decisions, voting records and positions of members of local-elected agencies that may affect the members' classrooms, working conditions, rights and benefits.
- 1.2 To serve as a voluntary funding structure through which Association members may give direct and indirect financial contributions to support or oppose such local candidates for local elective offices as are deemed worthy of support or opposition from the standpoint of educational issues and without regard to partisan consideration.
- 1.3 To serve as a voluntary funding structure through which Association members may give direct and indirect financial contributions to initiate, support or oppose local ballot measures and petition circulation drives as are deemed worthy of support or opposition from the standpoint of educational issues and without regard to partisan consideration.
- 1.4 It is the intent of the PAC to work in a cooperative manner, rather than in isolation from other district employee groups, to support its schools in an effective way.

ARTICLE 2 — OFFICERS

- 2.1 There shall be a PAC Chairperson, Treasurer (who shall be the Association Treasurer) and such other officers as are deemed necessary by the PAC.
- 2.2 The PAC Chairperson will be appointed by, and may be removed by, the Association President with the approval of the Association Board.

- 2.3 Other than Treasurer, the PAC Chairperson will appoint and remove the remaining officers.
- 2.4 Unless otherwise removed, the term of office for all PAC officers, except the Treasurer, will be concurrent with the term of office of the Association President who appoints the PAC Chairperson.

ARTICLE 3 — FUNDING

- 3.1 A voluntary amount from the current Association membership local contributions as established by the Association membership will be placed in an account for the PAC. These monies will be segregated from the general fund of the Association.
- 3.2 Amounts may be spent for any purpose that is deemed to be consistent with the statement of purposes of the PAC and is approved by the PAC. The following guidelines will be used as procedures:
 - 3.21 Amounts of up to \$200 may be spent by the PAC Chairperson with the approval of the Treasurer and without prior authorization from the PAC. Reports of these expenditures will be made to the PAC on a regular basis.
 - 3.22 Amounts of more than \$200 may be spent only with the approval of the PAC. Reports of these expenditures will be made to the PAC on a regular basis.
 - 3.23 Funds designated by line items in a PAC budget that has been approved by the PAC may be spent without additional approval. These expenditures will be included in the regular reports to the PAC.
- 3.3 PAC funds may be used to support candidates for local elective office if supported or endorsed by the Association following the procedures outlined below.
- 3.4 PAC funds may be used to aid local ballot measures or petition circulation drives if initiated or endorsed by the Association following the procedures outlined below.

ARTICLE 4 — SUPPORT OF CANDIDATES

- 4.1 The Association Board of Directors or PAC may recommend to the Association Representative Council or Association membership support or endorsement of a candidate for local office.
- 4.2 No funds or support in-kind may be expended on candidates that are not supported or endorsed by the Association.

ARTICLE 5 — SUPPORT OF LOCAL BALLOT MEASURE OR OF PETITION CIRCULATION DRIVE

- 5.1 The Association Board of Directors or PAC may recommend to the Association Representative Council or Association membership initiation of, or endorsement of, a local ballot measure or a petition circulation drive.
- 5.2 No funds or support in-kind may be expended on local ballot measures or on petition circulation drives that are not endorsed by the Association.

ARTICLE 6 — MEMBERSHIP AND MEETINGS

- 6.1 The membership of the PAC shall be the contributing members from Association.
- 6.2 The Association Representative Council shall serve as the seated members of, and the policy making body for, the PAC.
- 6.3 The PAC Chairperson or Association President may call meetings.
- 6.4 All seated members, officers of the PAC and the Association President will be notified in advance of meetings.
- 6.5 A quorum consisting of a majority of seated members is necessary to conduct business.

ARTICLE 7 — AMENDMENTS TO BYLAWS

- 7.1 Bylaw changes may be made by a majority vote of the Association Representative Council or a majority vote of the contributing members from the Association.

Adopted by action of the Association Representative Council on: November 18, 2015

SECTION 3

STANDING RULES

Standing Rules are the day-to-day rules by which the organization runs its meetings and business. They should be easily changed in order to adapt to changing conditions and policy (example: simple majority vote of the Executive Board).

I. Ratification Procedures

1. Agreements reached between the Bargaining Team and the School Board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership, unless such ratification shall have been specifically waived or otherwise delegated by the membership of that unit(s).
2. Within ten (10) days of finalizing a tentative agreement, the President and Bargaining Team Chair shall cause a complete copy of the tentative agreement to be distributed to the membership.
3. Within fifteen (15) days of finalizing a tentative agreement, but no sooner than the distribution of the complete copy of the tentative agreement, the President shall convene a general membership meeting of the appropriate bargaining unit(s) to discuss the tentative agreement.
4. Ratification of the tentative agreement shall be by secret ballot election held at the sites and conducted by the Representative Council and Elections Committee at times and dates established by the Executive Board but no later than ten (10) working days after the general membership meeting.
5. The ratification ballot shall provide two choices: "Yes, I ratify the tentative agreement reached on [date]" and "No, I reject the tentative agreement reached on [date] and authorize the Executive Board to initiate concerted activities up to and including a strike."

II. Memorandum of Understandings (MOU) Procedures

The Executive Board will review the MOU language and decide if it needs revisions and/or edits. If the Executive Board agrees and deems it unnecessary to bring the MOU forward for a Site Representative vote, or there's a time constraint, then a vote of the Executive Board will be taken.

If the Executive Board agrees and deems it necessary to bring the MOU forward for a Site Representative vote, and time permits, the following process will be followed:

1. Presentation and discussion at Site Representative Council meeting.
2. Site Reps bring MOU information to sites for input.
3. A vote of the Executive Board and Site Reps will be taken at the next Site Rep Council meeting.
 - a. Outcome will be determined by a majority of those present to vote.
 - b. Ballots may be roll call or paper.

III. Grievance Processing (Employment Related)

All unit members, whether a member of the Association or not, have equal access to, and rights to, Association resources and assistance in the prosecution of any action the unit member may bring forward pursuant to the provisions of the grievance procedure provided in the employment agreement between the Association and the District.

All officers and site representatives of the Association shall receive training on how to identify and prosecute a grievance pursuant to the procedure provided in the employment agreement between the Association and the District. Any interested member may also participate in that training. All members receiving training shall do so with the understanding that the member will be willing and available to act as a grievance representative if called upon to do so.

The Grievance Committee shall regularly review and evaluate the grievance policies and procedures of the Association and make recommendations to the Representative Council for revisions as needed.

No grievance shall be submitted to arbitration unless doing so has been authorized by the Executive Board that shall use the following criteria in reaching a decision:

- a. Does the Association have credible evidence and arguments to support its position?
- b. Is there a reasonable chance of winning the case?
- c. Is the cost worth the economic and political gains sought?
- d. Is it incidental or precedent setting?
- e. Does the Association have the resources to see it through?
- f. Are serious political considerations involved?
- g. Will the grievance achieve the goal sought?

- h. Will a victory deter the employer from similar adverse actions in the future?
- i. Will a victory help resolve problems or merely stimulate new grievances by other employees?
- j. Have all procedural steps been followed properly?

Any grievant or member of a class or group of grievant(s) who disagrees with the decision of the Executive Board not to press a grievance to arbitration, may appeal the decision to the Representative Council.

IV. Complaint Processing (Internal)

1. Any member of the Association may bring a complaint against the Association for good cause by submitting a written complaint to the President that shall include:
 - A. The name of the complainant or complainants;
 - B. A clear statement of the complaint;
 - C. A detailed statement of the facts which give rise to good cause; and,
 - D. A clear statement of the action sought as relief.
2. The President or designee shall meet with the complainant(s) in an Informal effort to resolve the complaint.
3. If the complainant(s) are not satisfied by the informal effort to resolve the complaint, the complainant(s) may, by written application to the President, appeal the complaint to the Executive Board. The Executive Board shall review the written complaint; investigate the allegations contained within, and render a written decision, which the President shall cause to be delivered to the complainant(s). Upon written application to the President, the complainant(s) shall be allowed to address the Executive Board as part of the Executive Board's investigation.
4. If the complainant(s) are dissatisfied with the decision of the Executive Board, the complainant(s) may appeal to the Representative Council by submitting a written appeal to the President of the Association. The Representative Council shall review the written complaint, investigate the allegations contained within, and render a written decision that the President shall cause to be delivered to the complainant(s). Upon written application to the President, the complainant(s) shall be allowed to address the Representative Council as part of the Representative Council's investigation.

5. No resolution reached or granted at any level may violate any rules or regulations of the Association or its affiliates, CTA and NEA, unless said rules or regulations are waived by the appropriate legislative body.

V. Endorsement Process

The Association shall have two classifications of endorsement: Friendly Incumbent endorsement and Regular endorsement. The regular endorsement shall apply to non-incumbents and incumbents who do not receive a Friendly Incumbent endorsement. It is in the interest of the Association to identify and endorse candidates for office, such as school board, early as possible.

Recommendation of Friendly Incumbent:

1. The Association, when making an endorsement of an incumbent shall consider the incumbent's performance based on the following criteria:
 - A. Listens to the needs of the Association members and responds to those needs;
 - B. Shares concerns with the Association and members about meeting the educational needs of the public schools;
 - A. Demonstrates support for improvement in the instructional program; and
 - D. Attempts to give leadership to resolve problems fairly and productively.
5. The Association Executive Board or PAC Committee may recommend a Friendly Incumbent recommendation to the Representative Council for action. An interview shall not be required for a Friendly Incumbent recommendation.

Recommendation Procedures for other than Friendly Incumbent:

1. The President shall appoint an Association interview team made up of the Association PAC Chairperson and at least two Association members.
2. The Association PAC Committee shall develop a candidate questionnaire which shall be approved by the Association Representative Council prior to its use.
3. The Association PAC Chairperson shall email a copy of the questionnaire and a letter of explanation of the interview procedures to all declared candidates.
4. This interview team shall conduct the candidate interviews.

5. All declared candidates must be given an opportunity to interview with the interview team. However, no candidate may interview if the candidate has not completed and returned the candidate questionnaire.
6. The interview team shall establish a rating matrix which shall be consistent for all candidates.
7. After interviewing all candidates who qualify, the interview team shall make a recommendation to the Association Representative Council of “recommended”, “not recommended”, or “neutral” for each candidate. The Association Representative Council shall make the final decision.

VI. Request for a Contract Waiver

1. No waiver shall be granted for more than the term of the school year in which the waiver is granted.
2. Any unit member may bring forward a request for an individual request for a waiver of the contract or an agent of the District acting as a representative of the District may bring forward a request for a waiver of the contract.
3. Action on a waiver request shall not take place at the Representative Council meeting at which a request is first presented.
4. Where appropriate, waivers approved by the Representative Council will be presented to the District School Board for the Boards’ consideration.
5. Deadline for initial year of request is December 1. Deadline for subsequent year(s) is January 10

The following outlines Steps 1 – 5 regarding the procedure a waiver request must follow prior to presentation by the President to the School Board.

STEP 1: If a school site or district program faculty wishes a waiver of the Employment Agreement between the Association and the District, the faculty shall first make a written request to the Association’s president or designee. This written request shall include:

1. The specific contract provisions to be waived; and the working conditions, etc. to replace the original* provisions;
2. The effective beginning date of the waiver;
3. A brief description of the process used by the site or program Faculty to reach the decision to request the waiver;

Upon Executive Council approval/review, waiver will move to Step 2.

* Sites will most likely be requesting waivers in these areas: Hours of Work (Article VI, A), Class Size (Article 1X), Work Year (Article V1,G)

STEP 2: Within fifteen (15) days of Executive Board approval of the request for waiver, the President of Designee shall hold a secret-ballot election by Association Members at the site or program on the issues in question.

STEP 3: If a majority of 60% of the Association Members at the site or program “eligible” to vote agrees to the waiver, the Association President shall within 31 days of the election refer the waiver request to the Contract Waiver Request Committee (CWRC) with the decision to be made within 31 days of Step 2.

The definition of “eligibility” is all union paying members who are: full time, part time, shared by two or more sites, out on paid leave, and new members whose applications are in the LMUTA office by 3:30 p.m. the day before the site vote. Membership must be established by October 30 or within 60 days of hiring.

NOTE: Abstentions and non votes are counted similarly as a NO vote. They do not reduce the number of votes needed to determine the majority needed to make a prevailing vote.

The CWRC will be composed of five voting members: a representative of the Negotiations Team, a representative of the Executive Board, a representative from the Elementary level, a representative from the Secondary level, and a Chairperson who shall be appointed by the President of the Association. A representative from the site or program requesting the waiver shall sit with the committee as a non-voting member.

STEP 4: If the CWRC approves the waiver request, within 31 days of its decision, the CWRC shall refer the waiver request to Representative Council for action.

If the waiver is not approved by the CWRC, the waiver at the option of the site or program requesting it may be referred to the RC for further action or be withdrawn.

STEP 5: Within seven days of the RC approving the decision, the President or Designee shall present the waiver to the School Board.

VII. Political Action Committee (PAC)

The Association shall establish a Political Action Committee (PAC) for the purpose of collecting funds from members to be expended on behalf of Association endorsed candidates for public office. The PAC shall be known as the Lucia Mar Unified Teachers Association Political Action Committee and shall be subject to the control of the Executive Board of the Lucia Mar Unified Teachers Association. The Executive Board shall open a separate bank account for the LMUTA PAC created by volunteer donations and separate from the General Fund. The Steering Committee of the LMUTA PAC shall establish bylaws for the operation of the fund. The Executive Board may represent the Steering Committee. If there is an elected PAC Chair, that Chair serves on the Lucia Mar Unified Teachers Association Executive Board.

VIII. 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 appropriate governance body to which it is responsible at the beginning of each school year.
3. The Committee shall be composed of at least three members who are not on the Executive Board, who are familiar with the unit operations, and who are not seeking election.
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 election committee activities on that particular ballot.

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). The only qualification for office shall be Active membership in the chapter.
2. Every Active member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
4. There shall be an all Active member vote. A member who is off-track shall be sent election information by e-mail to his/her last known e-mail address.
5. A chapter shall provide means for all Active members to vote, and it shall be the responsibility of the member to notify the chapter if he/she desires a ballot sent to a different e-mail address or if voting by paper ballot, at a site other than the regularly scheduled voting place.
6. An Active member shall acknowledge receipt of a paper ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot by mail.

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 every member has an opportunity to file a declaration of candidacy.

D. Timeline

1. Schools/Work sites on alternative calendars shall be considered when setting election timelines.
2. 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 declarations of candidacy forms;
 - d. Final date for 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 paper 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 will be made to leadership, candidates, members and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots;
 - l. Dates and timelines for run-off election, if necessary; and
 - m. Deadline for filing of challenges to initial challenge 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 will not be used to promote any candidate.
2. A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.
3. A unit may not state or indicate its preference for a candidate in the unit's publications.
4. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of the unit, CTA, or any of its affiliates.
5. The use of links to any Association website by a candidate is prohibited.

6. The Association shall not make available personal emails to candidates.
7. District email addresses and/or systems shall not be used for campaigning.

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 purpose 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.

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.

2. The ballot shall state the name of the office/position, the term, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.

H. Electronic Online Voting

1. LMUTA shall appoint a standing elections committee
 - The committee will be appointed and recorded in the minutes.
 - 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.
2. Any amendment to the Standing Rules shall be submitted to and approved by the CTA Local Governance Documents Review Committee for compliance review. These procedures and requirements shall be in accordance with the procedures and requirements established in the CTA Elections Manual and CTA Policy.

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

1. Electronic/online voting shall not create a situation where an eligible member is denied a means to vote in the election. LMUTA shall ensure that there is an alternative ballot procedure for use by those members who (a) cannot access and use an electronic/online environment; (b) who do not have the equipment necessary for electronic/online activities; (c) do not wish to vote electronically/online. The alternative ballot procedure shall comply with one of the methods as identified in the CTA Elections Manual, Section IV-9 of the Voting Procedures for State Council Representatives and Alternates.
 2. CTA recommends that school district's Internet system, lines, and equipment should not be used for electronic/online voting.
 3. LMUTA shall adhere to all elections requirements as defined in the CTA Elections Manual and Requirements.
 4. LMUTA election instructions for both electronic/online and paper ballot shall be distributed to the chapter voting members using both electronic/online and paper communication as established by the Unit's governance documents.
 5. All records involved with any electronic/online vote conducted by LMUTA shall be maintained in 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.
- I. Distribution of Paper Ballots and Method of Voting
1. 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 e-mail in order to provide them an opportunity to vote.
 2. Voting shall be by one or a combination of the following methods:
 - A. At School/Work Site/Specified Voting Site
If a Site Representative is a candidate, refer to A. Elections Committee, 5.

- 1) Voting At School/Work Site(s)/Specified Voting Site
 - a) Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
 1. Voter Roster – List of eligible voters
 2. Voter Sign-up Sheet – List of eligible voters, which includes a place for a signature.
 - b) The marked ballot must be returned to a designated site representative or ballot box.
 - c) Site Representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time. Ballots must be secured and uncounted. Roster/Sign-up sheets and ballots from each site must be kept together until verified by Elections Committee.
 - d) 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.
 - e) Preliminary counts shall not be completed at school/work sites.

2) Voting At School/Work Site(s)/Specified Voting Site Using Envelopes.

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

- a) A list of current Active members shall be prepared, which includes each members name and school address.
- b) The voter shall be provided with the following:
 - (1) A ballot;
 - (2) Instructions on folding of the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope addressed to the chapter; and deadline date for receipt of the voted ballot at the chapter office;
 - (3) A small envelope (inner envelope) in which to place the voted ballot; and,
 - (4) A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.
- c) At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.

- d) The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
- e) All inner envelopes shall be placed in a separate receptacle.
- f) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.
- g) Active members who are off-track or on a dues paying leave shall be notified by mail in order to provide them an opportunity to vote.

B. By mail

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

Active members who are off-track or on a dues paying leave shall be notified by mail in order to provide them an opportunity to vote. Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:

- 1) A list of current Active members shall be prepared, which includes the following: name, school and home address.
- 2) 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) Each voter shall be provided with:
 - a. A ballot;
 - b. 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 chapter office.
 - c. Inner envelope;
 - d. Outer return envelope, addressed to the chapter; and
- 4) The ballot shall be date stamped when it is received in the chapter office and then put in a safe place until the votes are to be counted.

- 5) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members. The name on the official list should be marked to show that the voter has returned a ballot.
- 6) The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
- 7) All inner envelopes shall be placed in a separate receptacle.
- 8) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

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 fifty percent (50%) 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 unit officers, the election will be by majority.
5. For State Council: (See the Election Timelines, Procedures, and Guidelines in section IV-9.2 of the CTA Elections Manual.)
 - a. If a unit is a single electoral district or a multiple unit electoral district, the election for State Council Representative will be by majority vote.
 - b. If the unit is within a multiple unit electoral district, results must be sent to the Service Center Council Elections Committee to determine if a candidate has received a majority vote.
6. If a candidate does not receive a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. When there are only two candidates for an office, the candidate receiving the higher number of legal votes cast shall be declared elected. There shall be no provisions for write-in candidates in run-off elections.
7. For NEA Local Delegates, the election will be majority of plurality vote, as defined in the unit's governance documents. Results must be sent to the CTA Governance Department and to the Service Center Council.

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. An affiliate utilizing this provision must have adopted a governing provision or election policy allowing such a practice. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates, the election will be by majority or plurality vote with the determination to be made in advance of the announcement of the election by the Service Center Council. Successor delegates (alternates) are ranked in the order of votes received. Results must be sent to the Service Center Council, which will forward the results to CTA.
10. For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.

K. Counting of Paper Ballots and SimplyVoting

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. Elections Committee shall verify signature sheets with paper 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. Blank and/or illegal ballots for each office/position shall be set aside. Examples including the following:
 - a. Member not listed on the voter roster.
 - b. Voter's intent unclear;
 - c. Votes cast for more than number allowed;
 - d. Vote cast on unofficial ballot (probably reproduced);
 - e. Candidate is not a member; and
 - f. Ballots that are separated from Roster/Sign-up sheet shall not be counted.
5. Ballots set aside and not counted are:
 - a. More ballots than signatures;
 - b. Ballot(s) received after deadline;
 - c. Voting envelopes without a signature; and
 - d. Ballots that are separated from Roster/Sign-up sheet.
6. The Elections Committee should categorize each illegal ballot, make a determination on whether the vote(s) in that category should be counted separately as listed on 4 above, and make a note of the decision. The ballots should remain separate.

7. If the illegal vote(s) would affect the outcome, the chairperson of the Elections Committee should report this to the unit president so that the appropriate governance body can decide how the ballots should be recorded.
8. 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.
9. The Elections Chair will deliver the report of the election results to the president and interested parties. The election results shall be announced via e-mail as soon as possible following the election.
10. The ballots and voter sign-up sheets shall be retained by the unit for one year after the election.
11. SimplyVoting will provide an election summary report for voting taken on-line.

L. Observers

1. Each candidate shall be allowed to have an 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.

M. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been e-mailed to the membership.
2. The challenging party/parties must notify the unit 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 unit president is a candidate on the ballot, please see number 5.
The notification must be on an official CTA Challenge Form. See *Appendix M of the CTA Elections Manual - May be accessed on MyCTA.org*
 - a. Specify which bylaw(s) and/or standing rule(s) have been violated.
 - b. Attach evidence of the violations, insofar as possible.
 - c. List names and addresses of parties who can give evidence.

3. Upon receipt of the challenges, 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 units Elections Committee shall, in accordance with the unit's 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 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.
4. The Elections Committee shall submit a written report including issues and recommendations, within the same 10 day period, to the Chapter President and the Governance Board.
5. The Governance Board shall act on the report no later than 10 days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in Appendix O – CTA Challenge Procedures – Local Elections of CTA Elections Manual. The Governance Board must issue its findings in writing to the challenger and the Elections Committee Chair.
6. Any member of the Governance Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. If in the case where the majority of the Governance Board is unable to act on the challenge the decision shall move to the next highest decision making body according to the unit's governance documents.
7. If either party wishes to appeal the decision of the unit's governance body, he/she may file an appeal in writing within 10 calendar days from the date of the decision of the governance body to the CTA President. The appeal shall include the original challenge filed at the unit level, and additionally shall include the local Election Committee report and the Executive Boards decision.
 - A. Specifically which unit bylaw(s) and/or standing rule(s) have been violated.
 - B. Attached evidence of the violations, insofar as possible.
 - C. List names and address of parties who can give evidence.
 - D. Written response of unit's governance body to original challenge.
8. If the Executive Board fails to act within 20 calendar days of the initial challenge, the individual may file an appeal as described in 7 (a-d) above by writing to the CTA President.

9. The challenge procedure for election of the State Council Representative and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.

N. 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 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) 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) 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 3 calendar 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) 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, unless otherwise specified.

O. Referendum Procedures

1. Any action or proposed action of the Executive Board shall be referred to a vote of the Active 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 Active membership on the ballot.

3. The chapter president shall cause a ballot to be furnished to the Active members no less than 15 school days after action by the Representative Council, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (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.

P. Recall Procedures

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's Active members.
2. Active member(s) desiring to recall a unit officer or other elected office holder must file a copy of a petition thereto by the chapter's Active members.
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, work site 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). (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 unit officer whose recall is being proposed and shall notify the other officers of the unit. A copy of the petition shall be enclosed.
5. Monies from a unit's treasury or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, goodwill 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 petition(s) 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 chapter president, or chapter vice president if the chapter president if 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 and voter sign-up sheets.
16. The election shall be certified in accordance to the unit's bylaws.
17. The Chairperson of the Elections Committee will deliver the report to the president of the unit who will immediately notify all interested parties of the election results. The election results shall be posted at each work site as soon as possible following the election.

Q. Site-Based Decision Making Councils

LMUTA is not a chapter in a district that operates site-based decision making (SBDM) programs.

IX. Membership Expense Reimbursement Policy

The rules governing the control for necessary expenses for members on Association business as authorized by the Board of Directors are as follows:

Travel: Requires advanced approval from the Executive Board

1. PLANE: Actual, most economical coach fare (attach receipt)
2. TRAIN or BUS or TAXI: Actual Fare (attach receipt)
3. AUTO:
 - a) Standard IRS Business Mileage Rate
 - b) Mileage reimbursement will be calculated using the shortest highway route
 - c) Mileage reimbursement cannot exceed the cost of coach plane fare
 - d) Toll roads and bridges reimbursed at actual cost
4. PARKING: Actual costs of airport parking and hotel parking excluding valet parking.

Lodging:

1. CTA/NEA Conferences - Half the cost of a double-occupancy hotel room. LMUTA will pay for the difference between a double-occupancy hotel room and a single room for those LMUTA State Council Representatives wishing a single room.
2. Other Travel or Conferences - Cost of a standard hotel room.
3. If travel by auto results in an extra night hotel room, such charge is not reimbursable.
4. Personal charges such as laundry, personal telephone calls, snacks, pay-per-view movies, and entertainment are not reimbursable.

Meals:

1. Reimbursements are not allowed when a meal is provided by the local, UniServ, Service Center Council, CTA or NEA
2. Individual meal limit is \$40.00 including tax and tip
3. Actual amounts paid including tax and tip not to exceed \$70.00 per any one day
4. Receipts are required for all meal reimbursements of \$10.00 or more
5. Meals are defined as breakfast, lunch & dinner (includes beverage, dessert, tax & tip)
6. Maximum tip reimbursable percentage is 18%
7. Extra meals required by auto travel are not reimbursable

Other Reimbursements: Requires advance approval from the Executive Board

1. Cell phone calls reimbursement for business use while traveling
2. Hotel Internet Connection to contact bargaining unit members

Deadline for Filing Expense Reimbursements:

All expense reimbursements must be filed within thirty (30) days of the end of the month in which the expenses were incurred. An additional thirty (30) day period may be granted by the Executive Board for extenuating circumstances set forth in an attached letter to the expense reimbursement.

Accounting for Advances:

All advances must be accounted for within thirty (30) days of the end of the event by utilizing the member expense reimbursement form in which the advance amount is deducted from the reimbursement amount. Unused advance amounts must be included with the expense reimbursement.

Recurring Submission of Late Expense:

Members will be granted up to three late reimbursements per fiscal year.

Appeals/Disputes/Exceptions:

Members may on a timely basis appeal any dispute or exception of an expense reimbursement to the Executive Board. The Executive Board will make their determination on the appeal at its next regularly scheduled Board meeting.