

## L. 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.

## M. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to NEA RA follow procedures in the *CTA Elections Manual*.
3. The challenging party(ies) 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 item number 5. The notification must be on the official CTA Challenge Form. (*See Appendix M of the CTA Elections Manual – may be accessed on MyCTA.*)
4. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit's 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 the appropriate documentation.
  - c. Requires more information. The information will be obtained via the most feasible method.
  - d. Identified violation(s) that may have affected the outcome of the election.
  - e. Within the same ten (10) calendar day period, the unit's Elections Committee shall submit a written report including issues and recommendations to the Chapter President and Executive Board.
5. Any member of the Executive Board who was a candidate in the race that is challenged, or whose immediate family member is such a candidate, 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.

6. 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(s) and the Elections Committee Chair..
7. If the Executive Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described below by writing to the CTA President.
8. If the challenging party(ies) wish(es) to appeal the decision of the unit'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 additionally shall include the local Elections Committee report and the Executive Board's decision.
9. The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.

#### 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) calendar 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(s) shall be notified within three (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 Representative Council or 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 fifteen (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.

#### 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. An 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.