

San Diego Education Association, CTA/NEA
Procedures for SDEA Elections

Adopted by SDEA Council of Representatives: February 18, 2009

1. Election Schedule

1.1 All SDEA elections shall take place in a two-week period, which overlaps tracks at multi-track year-round schools, with consideration being given for schools on alternative calendars. The timeline for election shall include:

Deadline for nomination

Deadline for campaign statement and photo

Deadline for flyers

Ballots mailed or available online

Ballots returned (received), or online voting closed

Ballots verified and counted

President, or designee, and candidates informed of results

Date and timeline for run-off election, if necessary

Results posted at schools no later than 5 days after counting of ballots

Official report filed with SDEA Board of Directors

Deadline for candidates to file election challenge

Official report to Representative Council

2. Nominations

2.1 When no nominations/declarations are made for an open seat during the scheduled council meeting, the nomination/declaration period shall be extended for three working days.

2.2 Verification of Receipt of Candidacy Forms

2.2.1 Nominee submits a declaration form to the SDEA receptionist during regular office hours (8-5 PM) prior to the announced deadline.

2.2.2 The receptionist makes three copies. The nominee deposits the original declaration form in the locked ballot box located in the SDEA office. Copies of the form are distributed to the Computer/Membership Technician, the nominee, and the receptionist.

2.3 Candidates who submit declaration forms by mail, e-mail, or fax must send them to the receptionist and must verify that the forms have been received. Confirmation of receipt must be in writing.

3. Candidates' Rights/Responsibilities

3.1 The Chairperson of the Elections Committee shall provide every candidate a copy of the election timeline, procedures, and guidelines. Candidates must sign acknowledging receipt of these documents.

3.2 Candidates are responsible for reading and following the election schedule deadlines.

- 3.3 Each candidate shall have the right to a list of the names and addresses of school sites and the number of Active members at each site for the purposes of campaigning.
- 3.4 Candidates or a representative may be present while the election committee counts/verifies the ballots.
- 3.5 Candidates may not use SDEA printing facilities, or the official logo of the Association.

4 Campaign Materials

- 4.1 Candidates will provide a written statement either on paper or e-mail to SDEA prior to the announced deadline, which will be seven days after the close of nominations. These statements will be distributed by SDEA in a special election issue of the Advocate. NEA Delegate and State Council statements shall be limited to twenty-five (25) words. SDEA Officer and Board of Director statements shall be limited to two hundred fifty (250) words.
- 4.2 If the SDEA Board of Directors determines that photos will be used in the election, each candidate may submit a photo to be run with the candidate statement.
- 4.3 Each candidate may, at his/her own expense, submit one flyer in sufficient quantity to provide one copy per site (at least 300 copies). Provided that the flyer is submitted prior to the announced deadline, it will package and distribute to each site to be posted.
- 4.4 Flyers provided by the candidates will not be edited. SDEA reserves the right to edit statements that are produced by SDEA.
- 4.5 The distribution of any additional campaign materials is the responsibility of the candidate.
- 4.6 Except for what is set forth in 4.3 above, Council Representatives shall not be required to distribute a candidate's campaign materials. District procedures prohibit the use of school mail for this purpose.

5 Procedures for Online Voting

- 5.1 Voting instructions shall be mailed to the schools or the personal emails of eligible Active members and will also be available on an approved website(s).
- 5.2 Voting will be done through personal email or an approved website(s).
- 5.3 A paper ballot option shall be provided.
 - 5.3.1 The marked ballot must be returned to a ballot box at a designated site.
- 5.4 A data file of eligible Active members shall be provided to the approved Election Vendor. The Election Committee shall approve all Active member information on the data file.
- 5.5 The approved Election Vendor prepares all requested lists, which must be approved by the Election Committee.
- 5.6 The approved Election Vendor counts all ballots, paper or online, and the Election Committee verifies the results.

6. Procedures for Mail Ballot(s)

- 6.1 A list of members shall be prepared, which will include the following: name, home address or cost center address if the home address is not included in the SDEA data base.
- 6.2 Members whose home addresses are in the data base, members off-track during the time of the election, visiting teacher members, itinerant members, and members on dues-paying leave will receive ballots through the U.S. Mail.
- 6.3 Ballots for members whose home addresses are not in the data base will be mailed to their cost center address through school mail.
- 6.4 The voter shall be provided with:
 - 6.4.1 Ballot(s)
 - 6.4.2 Candidate campaign statements
 - 6.4.3 Instructions on folding of the ballots, placement of the ballots in the unsigned inner envelope, what to do with the outer envelope, and the deadline date and time for the voted ballots to be received by SDEA
 - 6.4.4 An inner envelope in which to place the voted ballot(s)
 - 6.4.5 An outer envelope addressed to SDEA postage paid, on which the voter both prints and signs his/her name
- 6.5 When the ballots arrive at the SDEA office by mail, the SDEA receptionist shall date stamp each outer envelope and place the stamped outer envelope into a locked ballot box. The Elections Committee Chairperson shall hold the key to the ballot box.
- 6.6 At the time of counting, the names on the outer envelopes shall be checked against the official list of voters. The names on the official list shall be marked to show which voters have returned a ballot.
- 6.7 The outer envelopes shall then be opened and put in a separate stack for safekeeping.
- 6.8 All inner envelopes shall be placed in a separate receptacle.
- 6.9 The inner envelopes shall be slit and the ballots removed, stacked, and then counted.
- 6.10 Any ballots not counted at the end of the first official counting day shall be returned to the ballot box, which shall be locked by the Elections Committee Chairperson, who will hold the key. The locked ballot box shall be put in a locked room.
- 6.11 On the second official counting day, and on any subsequent official counting day, all the above procedures shall be followed.
- 6.12 The Elections Committee shall prepare a Teller's Report, which shall include the following:
 - Names of candidates for the office
 - Number of ballots received
 - Number of invalid ballots
 - Number of votes need to elect
 - Number received by each candidate
 - Indication if a run-off election is needed

- Signatures of the Elections Committee Chairperson and one other member of the Elections Committee who was present during the counting of the ballot
- 6.13 The results are reported to the President, or a designee, and candidates.
- 6.14 The results of the election shall be announced in accordance with the Election Schedule established in Section One of these procedures.

7. Voting at School Sites Using Envelopes

- 7.1 A list of Active members shall be prepared, which includes the following: name, school, and home address.
- 7.2 A determination shall be made prior to the election whether the ballot shall be sent to the school or to the home of the member.
- 7.3 The voter shall be provided with the following:
- 7.3.1 Ballot(s)
 - 7.3.2 Candidate campaign statements
 - 7.3.3 Instructions on folding the ballots and placement of the ballot(s) in the inner envelope, directions for the outer envelope, and the deadline date and time for the voted ballots to be received at SDEA.
 - 7.3.4 An inner envelope in which to place the voted ballot(s)
 - 7.3.5 An outer envelope addressed to SDEA and postage paid on which the voter prints and signs his/her name.
- 7.4 When the ballots arrive at the SDEA office by mail, the SDEA receptionist shall date stamp each outer envelope and place the stamped outer envelope into a locked ballot box. The Elections Committee Chairperson shall hold the key to the ballot box.
- 7.5 At the time of counting, the names on the outer envelopes shall be checked against the official list of voters. The names on the official list shall be marked to show which voters have returned a ballot.
- 7.6 The outer envelopes shall then be opened and put in a separate stack for safekeeping.
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7.12 The results are reported to the President, or a designee, and candidates.

7.13 The results of the election shall be announced in accordance with the Election Schedule established in Section One of these procedures.

8 Observers

Each candidate may be present during the counting and verification of the ballots or may designate an observer to be present. Observers shall not interfere with the counting and must remain in the counting room until dismissed by the Elections Committee Chairperson.

9 SDEA Internal Procedures

9.1 All ballots not distributed shall be placed in a locked cabinet.

9.2 The Elections Committee Chairperson shall report, at least twice each year, to the Representative Council regarding the positive and negative aspects of the conduct of the most recent election.

9.3 Following each election conducted at the sites, the Elections Committee shall present the results of the election to the President or designee and the Representative Council. This report will include a list of sites where no ballots were cast, and a list of sites whose ballots were disqualified because of violations of the elections procedures.

9.4 Election results shall be published and distributed to the school sites as soon as possible, within four weeks of the election.

9.5 The President or designee shall notify the candidates of the election results within three days, as soon as possible, after the counting of the ballots.

10 Challenge Procedure

10.1 A challenge cannot be initiated until after the results of the elections have been posted at approved election site.

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

10.3 The challenging party(ies) must notify the unit president and the 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 5.

The notification must:

- a) Specify which unit bylaw(s) and/or standing rule(s) has have been violated.
- b) Attach evidence of the violations, insofar as possible.
- c) List names and addresses of parties who can give evidence.

- d) Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed.
- 10.4 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 10 calendar day period, the unit's Elections Committee shall submit a written report including issues, findings, and recommendations to the Chapter President and the Governance Board.
- 10.5 Any member of the Governance Board who was a candidate on the ballot, or whose immediate family member is a candidate on the ballot, shall abstain from voting on the report. 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.
- 10.6 The governance Board shall act on the report no later than 10 calendar days following receipt of the written report of the Elections Committee in accordance with CTA Challenge Procedures as describe in Appendix O – CTA Challenge Procedures – Local Elections of CTA Elections Manual. The Governance Board must issue its decisions in writing to the challenger and the Elections Committee Chair.
- 10.7 If the challenging party(ies) wish(es) to appeal the decision of the unit's governance body–he/she may file an appeal by writing within ten (10) calendar days from the date of the decision of the governance body by writing to the CTA President. The appeal shall be the original challenge filed at the unit level, and shall include:
- 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 addresses of parties who can give evidence.
 - d. Written response of unit's governance body to original challenge.
- 10.8 If the Governance 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) above by writing to the CTA President.
- 10.9 In the circumstance where an election has been conducted to elect one or more officers, and the elections results are challenged, the winner(s) of the election shall hold office until such time as the challenge is resolved.
- 10.10 The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.