

STANDING RULES

Revised & Adopted by SDEA Board on May 25, 2011

(Unless otherwise noted, Board of Directors refers to the SDEA Board of Directors)

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STANDING RULE 1.0

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STANDING RULE 1.1

HEADQUARTERS

The Headquarters office of the San Diego Education Association shall be located at 10393 San Diego Mission Road, Suite 100, San Diego, California. (8/15/73) (11/8/78)

STANDING RULE 1.2

CORPORATE SEAL

The form of the Corporate Seal of the San Diego Education Association shall be as follows:
(00/00/06)

San Diego Education Association Incorporated March 17, 1951 California

(Note named changed to the San Diego Education Association, hereinafter known as SDEA,
August 1, 1998)

- a. The Executive Director shall have custody of the official Seal of SDEA, which shall be used on such documents and publications as may be required by law, and as may be determined by the Board of Directors. (9/1/69) (11-28-07)

STANDING RULE 1.3

FACSIMILE SIGNATURES

- a. The use of facsimile signatures shall be authorized on all disbursement warrants.
- b. The authorized facsimile signatures shall be two of the three positions: President, Treasurer and Executive Director. (8/21/68) (11/8/78)

STANDING RULE 1.4

FISCAL YEAR

The fiscal year of the Association shall commence on September 1 and end on August 31. (8/6/75) (11/8/78)

STANDING RULE 1.5

BONDING OF OFFICERS AND EMPLOYEES AND AUDIT

- a. The Executive Director, corporate officers and all employees of the Association shall be placed under a bond in such amount as the Board of Directors may determine. (8/6/75)
- b. The accounts and other financial records of the Association shall be audited annually by an independent certified public accountant or accounting firm, to be designated by the Board of Directors. (8/6/75)

STANDING RULE 1.6

ATTENDANCE AT OUT-OF-TOWN CONFERENCES AND FUNCTIONS

- a. The Board of Directors shall authorize official membership attendance at all out-of-town functions and meetings. (9/1/68)
- b. Any SDEA delegate to a conference whose expenses have been partially or fully paid by the Association shall make an oral or written report at the request of the Board of Directors. (7/27/66) (3/9/88)
- c. Committees sending delegates to out of town conferences must show such decisions in official committee minutes. Such decisions shall be within the committees' budgets subject to 1.6.a. (3/9/88) (11-28-07)

STANDING RULE 1.7

EXPENSE REIMBURSEMENT

- a. It is policy of the San Diego Education Association to reimburse members and employees who represent the Association in an official capacity for actual and

necessary expenses not to exceed the Board of Directors adopted amounts for reimbursement. (9/1/65) (11/28/07)

- b. All expenses shall be itemized, in detail, on claim forms furnished by the Association. (9/1/65)
- c. Meals - actual amounts paid; not to exceed CTA guidelines day including tax and tips. (3/9/88)
- d. Receipts must accompany claims for plane, train, bus, hotel or motel and meals. (3/9/88) (3/16/70)
- c. Reimbursement shall be made in the following:
 - 1. Travel
 - Plane: Actual coach fare. (3/16/70) (3/9/88)
 - Train or Bus: Actual coach fare. (3/16/70) (3/9/88)
 - Auto: Current IRS approved rate, roundtrip by the shortest highway route; however, mileage reimbursement cannot exceed the cost of plane fare. (3/16/70) (11/8/70) (3/9/88) (11-28-07)
 - Actual costs of airport bus and parking. (3/16/70) (3/9/88)
 - 2. Lodging (hotel/motel)
 - Actual cost of sharing a double occupancy room. Those wishing a singleroom shall pay the difference. (11-28-07)
 - If travel by private car means an extra hotel or motel charge, such charge is not reimbursable. (11-28-07)
 - Personal charges, such as laundry, valet, telephone calls and entertainment are not reimbursable. (3/9/88)
- d. Any exceptions or variations from the rules covering travel and other expenses shall be allowed only by authorization within supplemental policies adopted by the Board of Directors.
- e. All persons traveling for the Association shall car pool whenever this is possible in order to receive mileage reimbursement. (11/8/78)(3/9/88)
- f. All out-of-state travel, which is reimbursable from Association funds, shall be approved in advance by the Board of Directors. (10/12/68) (3/9/88)
- g. The Board of Directors shall review and authorize the expenses of the Executive Director. The Executive Director shall review and authorize the expenses of the staff. (9/25/68) (3/9/88) (11-28-07)

STANDING RULE 1.8

FISCAL POLICY FOR EXPENDITURE OF FUNDS

- a. It shall be the policy of the San Diego Education Association to secure prior approval from the Board of Directors for non-budgeted general fund expenditures that exceed \$500.00.
- b. The Executive Director and President shall be empowered to approve general fund expenditures of less than \$500.00. However, said expenditures shall be brought to the next regularly scheduled SDEA Board of Directors' meeting for general ratification.
- e. In cases of emergency, the Executive Director and the Treasurer are empowered to make non-budgeted general fund expenditures in an amount not to exceed \$1,000.00. Said expenditures shall be brought to the next regularly scheduled SDEA Board of Directors' meeting for ratification. (3/12/80) (11-28-07)

STANDING RULE 1.9

SDEA BUDGET

- a. Budget hearings will be held yearly with the Treasurer serving as chair. Hearings will be open to all members for input. Hearings may be held at various locations. Hearings will be concluded in time for a preliminary budget to be presented to Representative Council for adoption on or before the last Representative Council meeting of the school year. (11-28-07)
- b. The budget shall be sent to the Representative Council Representatives two weeks prior to the May meeting. (3/12/80) (11-28-07)

STANDING RULE 2.0

PERSONNEL, OFFICERS, BOARD OF DIRECTORS AND STAFF

2.1 Release Time for SDEA Officers

2.2 Duties of the President

2.3 Duties of the Vice President

2.4 Duties of the Secretary

2.5 Duties of the Treasurer

2.6 Board of Directors Meeting Procedure

2.7 Powers and Duties of the Board of Directors

2.8 Equal Employment Opportunity

2.9 Conditions of Employment for Professional Staff

2.10 Executive Director

STANDING RULE 2.1

RELEASE TIME AND COMPENSATION FOR SDEA OFFICERS

- a. The President shall be a full time twelve-month President, released from responsibilities with the San Diego Unified School District. The President shall be paid at the daily pro-rata salary pursuant to their placement on the teachers' salary schedule times 228 days- The President shall receive health and welfare benefits and retirement benefits at least at the same level as those provided to twelve-month District employees within the Association bargaining unit.

The President shall receive twenty days of vacation per year, and all holidays granted to twelve-month District employees within the Association bargaining unit.

The President shall suffer no loss in benefits, salary, sick leave, or other employment guarantees as a result of his/her service as President of the Association. (11-28-07)

- b. The Vice President shall be paid a monthly stipend of no less than \$200 per month as determined by the budget process. (11-28-07)

The Vice President may be released at the discretion of the Board of Directors. (3/9/70) (11-28-07)

The Vice President shall suffer no loss in benefits, salary, sick leave, or other employment guarantees as a result of his/her service as Vice President of the Association. (11-28-07)

- c. The Secretary shall be paid a monthly stipend of no less than \$100 per month as determined by the budget process. The Secretary shall suffer no loss in benefits, salary, sick leave, or other employment guarantees as a result of his/her service as Secretary of the Association. (11-28-07)

- d. The Treasurer shall be paid a monthly stipend of no less than \$100 per month as determined by the budget process. The Treasurer shall suffer no loss in benefits, salary, sick leave, or other employment guarantees as a result of his/her service as Treasurer of the Association. (11-28-07)

STANDING RULE 2.2

DUTIES OF THE PRESIDENT

- a. The President shall serve as Chairperson of the Representative Council and Board of Directors, and shall preside at all meetings of these bodies. (3/11/64)
- b. The President shall call special meetings of the Board of Directors, Representative Council and the Association as provided in the Constitution and Bylaws. (8/15/73)

- c. The President shall be an ex-officio member of all Association committees, whether continuing or temporary, except the Election Committee, and shall receive notice of all committee meetings. (10/12/68) (11/8/78) (11-28-07)
- d. Upon election to office, the President shall immediately begin to secure nominations from the general membership toward filling committee vacancies. This shall be done in accordance with policies and procedures governing standing committees as contained in the Constitution, Bylaws and Standing Rules. (8/21/74) (11/8/78)
- e. The President shall appoint a parliamentarian and alternate parliamentarian for the Representative Council. (11/8/78) (3/9/88)
- f. The President shall regularly report to the Board of Directors and Representative Council, accomplishments and status of current issues and submit an annual report of Association activities at the last regularly scheduled meeting of the Representative Council. (3/11/64) (11/8/78)
- g. The President shall deliver an annual State of the Association report.
- h. The President may delegate, as needed, to other officially constituted members of the Association, the authority to speak or act on the President's behalf, but the President remains responsible for the stands taken by the president's representatives when they are acting on the President's behalf. (3/11/64) (11/8/78)
- i. The President shall appoint chairpersons of the Association action bodies with the concurrence of the Board of Directors. (9/21/74) (11/8/78) (11-28-07)
- j. The President shall develop a yearly visitation schedule to schools. (8/21/74) (11/8/78) (3/9/88)
- k. The President shall enunciate new policies and programs of the Association as directed by the Board of Directors. (3/11/64) (11/8/78)
- l. The President, or designated representative, shall serve as the official representative of the Association, along with the Executive Director. (4/26/69) (11/8/78)
- m. The President shall, in consultation with the Executive Director, nominate SDEA members to joint district and community committees with the concurrence of the Board of Directors. (3/11/64) (11/8/78)
- n. The President shall be authorized to countersign checks with the Executive Director and/or Treasurer of SDEA. (3/11/64) (11/8/78)
- o. The President shall perform such other duties as may be directed by the Board of Directors, or provided for elsewhere in the Constitution, Bylaws and Standing Rules of the Association. (3/11/64) (11/8/78)
- p. The President shall coordinate, in conjunction with the Executive Director, the activities of the Association. (8/21/74) (11/8/78)
- q. Communications and Public Relations:
 - 1. The President shall present, represent and interpret the Association and its program to the membership and the public. (2/11/69) (11/8/78)

2. The President is responsible for all official Association publication and press releases. (2/11/69) (11/8/78)
 3. The President shall be responsible for the planning and execution of the Public Relations Program of the Association. (2/11/69) (11/8/78)
- r. The President shall perform all duties as described in the Bylaws. (11-28-07)

STANDING RULE 2.3

DUTIES OF THE VICE PRESIDENT

- a. The Vice President of SDEA shall be an ex-officio member of the Membership Committee. (8/21/74) (11-28-07)
- b. The Vice President shall serve as ex-officio without right to vote on all Association Committees. The Vice President shall not be a member of the Elections Committee. (8/21/74) (11/8/78) (3/9/88) (11-28-07)
- c. The Vice President shall serve as a member of any subgroup of the Board of Directors in negotiations with the professional staff or their representative. (8/21/74) (11/8/78).
- d. The Vice President shall perform all duties as described in the Bylaws.

STANDING RULE 2.4

DUTIES OF THE SECRETARY

- a. The Secretary shall be responsible for reading and editing the minutes of all the proceedings of the Association as soon as possible after each meeting. (4/26/69) (11/8/78))
- b. The Secretary shall perform all duties as described in the Bylaws. (4/26/69) (11-28-07)
- c. The Secretary shall be responsible for a quarterly report to the Board of Directors regarding the status of motions. (8/21/74) (11/8/78) (3/9/88)
- d. The Secretary shall be responsible for reporting to the proper body any inconsistencies between SDEA documents. (2/13/80) (3/9/88)
- e. The Secretary shall be responsible for the minutes of each meeting to be typed and submitted to the SDEA office for filing and. (5/20/75) (11/8/78) (3/9/88) (11-28-07)
- f. The Secretary shall be responsible for minutes to reflect any vote to send any delegate to a conference. (3/9/88)
- g. The Secretary shall serve as a member of any subgroup of the Board of Directors in negotiations with the professional staff or their representative. (8/21/74) (11/8/78)

STANDING RULE 2.5

DUTIES OF THE TREASURER

- a. The Treasurer shall perform all duties described in the Bylaws. (08/24/74)
- b. The Treasurer shall serve as a member of any subgroup of the Board of Directors in negotiations with the professional staff or their representative. (8/21/74) (11/8/78)

STANDING RULE 2.6

BOARD OF DIRECTORS MEETING PROCEDURES

- a. The President, in consultation with the Executive Director, shall prepare the agenda for Board of Directors' and Representative Council meetings. (5/31/89)
- b. Members of the Board of Directors may submit agenda items for any regularly scheduled Board of Directors meeting by submitting such items to the President or Executive Director no later than 5:00 PM Monday preceding the meeting date. Items submitted after this deadline shall require a two-thirds vote of the Board of Directors for consideration. (5/31/89) (11-28-07)
- c. Minutes of the SDEA Board of Directors shall be made available to the Secretary for editing as soon as practical, after each meeting, and distributed to the members of the SDEA Board of Directors along with the Agenda for the next regularly scheduled meeting. (10/12/68) (11/8/78)
- d. Except by a two thirds vote, meetings of the Board of Directors shall commence at 4:30 PM unless a meeting announcement setting forth alternative starting times has been received by board members forty-eight hours in advance of the meeting. (5/31/89)
- e. The reports by the President, Secretary, Treasurer and Executive Director are to be informational reports and not require action. (9/1/65)
- f. Action items, which are not acted upon during a meeting, shall appear ~~as~~ on the next agenda. (9/1/65)
- g. Requests for action from any SDEA committee shall be placed as an item of business on the next regularly scheduled or special Board of Directors meeting agenda. Such items must be considered by the Board of Directors at the meeting for which the item has been scheduled. (11/8/78)
- h. Generally, before the SDEA Board of Directors take action on any of the following types of motion, they refer such items to the Political Action Committee for consideration:
 - 1) Endorsement of candidates in political campaigns;
 - 2) Seeking of funds for candidates in political campaigns;

- 3) Support or opposition of legislation and ballots propositions. (1/16/74)
- i. The President shall appoint Board of Director Liaisons to the standing committees. (3/9/88)
- j. Board of Director Liaisons shall serve as official members of the committee to which they are appointed. (3/9/88)

STANDING RULE 2.7

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

The powers and duties of the Board of Directors shall be as set forth.

- a. The duties and the responsibilities of the Board of Directors 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 appointment and removal of bargaining team members;
 5. Recommend a budget for the Association to the Representative Council;
 6. Approve all appointments to committees, including chairpersons;
 7. Adopt the Standing Rules for the Association;
 8. Adopt grievance procedure;
 9. Direct the grievance activities of the Association;
 10. Hire, direct the evaluation of staff, direct and terminate staff in accordance with negotiated contracts and standing rules;
 11. Prepare and submit to the Representative Council the annual budget for the coming year no later than the last regular meeting of the Representative Council for the current school year;
 12. Direct the negotiations between the Association and its staff;
 13. Ratify the negotiated Agreement between the Association and the Staff;
 14. Be responsible for the formation and distribution of the Association's calendar of activities in conjunction with the Vice President;
 15. Perform such other duties and responsibilities as are appropriate and in conformance with the governance documents.
 16. The Board of Directors may conduct executive sessions during which discussions shall be exclusively limited to:
 - 1) Hiring, firing and/or evaluation of Association staff;
 - 2) Personnel cases or grievances involving members and the District;
 - 3) Strategy and tactics related to bargaining;
 - 4) Litigation;
 17. Shall direct all representation to the administration and Board of Education.

18. 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.

STANDING RULE 2.8

EQUAL EMPLOYMENT OPPORTUNITY

The San Diego Education Association hereby affirms its belief that every person regardless of race, color, creed, national origin, gender, sexual orientation, political affiliation, marital status, age, or membership and participation in any activities of a union has the right to equal opportunity for employment. To this end, the Association pledges its active commitment to operating its own employment practices to insure itself as an equal opportunity employer and actively seeks under represented group candidates for Association staff vacancies as they occur. (11/14/73) (11/8/78)

STANDING RULE 2.9

CONDITIONS OF EMPLOYMENT FOR PROFESSIONAL STAFF

Negotiation Rights:

- a. The San Diego Education Association agrees to negotiate with representatives of the professional staff in good faith and on all subjects that are related to employment conditions. (2/11/69) (11/8/78)
- b. The Executive Director shall be designated the representative of the SDEA Board of Directors in negotiating with the staff, and shall meet with representatives of the professional staff at reasonable times and places. He/she will be held accountable for the administration and enforcement of this Standing Rule. (2/11/69) (11/8/78)
- c. In the event negotiations reach an impasse, the issues in dispute shall be submitted to mediation pursuant to the Agreement between the SDEA/CTA/NEA and the SDEA staff organization CSO/NSO (SDEO) (11-28-07)
- d. In the event mediation fails, representatives of the professional staff may appeal their case directly to the Board of Directors. (2/11/74) (11/8/78)
- e. Upon favorable adoption by both parties, the agreements shall be reduced to writing and shall become contractually binding and operable for the ensuing fiscal year. Negotiations shall be automatically resumed in the event the professional staff or a majority of the Board of Directors fail to adopt the agreements. (2/11/69) (11/8/78)

STANDING RULE 2.10

EXECUTIVE DIRECTOR

- a. The Executive Director of SDEA shall serve as the Executive officer of the Association, and shall be responsible for implementing all Association policy under the direction of the Board of Directors. He/she does not make policy, but provides appropriate guidance in its

establishment. Once policy has been made, he/she is responsible for its implementation. (2/11/69) (11/8/78) (11-28-07)

b. Guidance and Leadership:

1. The Executive Director shall provide leadership and guidance in the development and execution of the entire program of the Association. This shall include a master calendar for the Association. (4/26/69) (11/8/78) (11-28-07)
2. The Executive Director is responsible for providing resources and research assistance to the Board of Directors, Representative Council and Committees of the Association. (2/11/69) (11/8/78) (11-28-07)
3. The Executive Director shall propose to the Board of Directors and Representative Council such activities and programs as he/she considers pertinent to the advancement, welfare and objectives of the Association. (2/11/69) (11/8/78) (11-28-07)
4. The Executive Director shall assist in the development of in-service training for actual, and potential leaders, when in-service training is being planned or implemented (2/11/69) (11/8/78) (11-28-07)

c. Business and Office Management:

1. The Executive Director shall be responsible for the management of the office and staff. (2/11/69) (11/8/78) (11-28-07)
2. The Executive Director is responsible for the expenditure of Association funds under direction of the Board of Directors. He/she shall keep the Board of Directors and Representative Council informed of the organization's financial standing. (2/11/69) (11/8/78)
3. The Executive Director is responsible for the employment of the clerical staff. He/she recommends for professional staff appointments and reappointments. (2/11/69) (11/11/8/78) (11-28-07)
4. The Executive Director, in consultation with the treasurer, shall prepare the preliminary annual budget of the Association. (2/11/69) (11/8/78)

d. Representation of the Association:

1. The Executive Director shall coordinate, in coordination with the President and the Board of Directors, all representation to the SDUSD administration and Board of Education. (2/11/69) (11/8/78) (11-28-07)
2. The Executive Director shall be responsible for developing and implementing a negotiations program in conjunction with the Board of Directors. (2/11/69) (11/8/78) (11/28/07)
3. The Executive Director shall serve or provide liaison with professional education organizations, including state and national meetings. (2/11/69) (11/8/78)

e. Communications and Public Relations:

1. The Executive Director, in conjunction with the President, is responsible for all official Association publications and press releases. (2/11/69) (11/8/78)
2. The Executive Director, in consultation with the President, shall be responsible for the planning and execution of the public relations program of the Association. (2/11/69) (11/8/78) (11/28/07)

f. Counselor (Member):

1. The Executive Director shall provide counsel, advice and representation to individual members. (2/11/69) (11/8/78)

STANDING RULE 3.0

MEMBERSHIP AND DUES

- 3.1 Membership Year
- 3.2 Membership Assessments – Solicitations
- 3.3 Dues Refund
- 3.4 Economic Services
- 3.5 Dues Collection Procedures
- 3.6 Implementation of Agency Fee

STANDING RULE 3.1

SDEA MEMBERSHIP YEAR

The membership year of the Association shall begin September first (1) and continue through August thirty-first (31st) of the following year. Dues shall be delinquent for a member on December thirty-first (31st) of the current membership year unless fully paid in cash or being paid under a valid payroll deduction authorization that the member has executed and filed with the employer or SDEA that will result in the collection of full dues prior to the end of the membership year. Members whose dues are declared delinquent shall be dropped from the membership rolls and, as of that date, membership rights will cease. (5/14/80)

STANDING RULE 3.2

MEMBERSHIP ASSESSMENTS – SOLICITATIONS

The membership shall be solicited for funds only when it is established that the use of the funds is directly connected with the business of SDEA, CTA or NEA. (6/10/67) (11/8/78)

STANDING RULE 3.3

DUES REFUND

There shall be no refund on a member's dues at any time. (9/1/65) (11/8/78)

STANDING RULE 3.4

ECONOMIC SERVICES

SDEA shall not support any economic service in whole or in part by SDEA dues. (10/23/68) (11/8/78)

STANDING RULE 3.5

DUES COLLECTION PROCEDURES

- a. Any member of the bargaining unit may join the United Teaching Profession (SDEA/CTA/NEA) by full cash payment or by signing the proper dues deduction authorization cards. (5/14/80)
- b. During the year teachers who are enrolling for the first time may join the UTP by full cash payment or payroll deduction. The dues must be prorated for the balance of such membership year. (5/14/80)
- c. All membership services are available immediately upon joining SDEA other than those needed for preexistent conditions. Services for such conditions shall be determined on an individual case basis by the Board of Directors of SDEA. (5/14/80)

STANDING RULE 3.6

IMPLEMENTATION OF AGENCY FEE

- a. NOTIFICATION:
All unit members who are not members of SDEA/CTA/NEA shall be notified annually, in writing, of their options under the Agency Fee provisions of Article XVI, to become members of SDEA/CTA/NEA, to become Fee Payers or to apply for Religious Objector status. Further, within thirty days of SDEA's notification of the employment of a new unit member, SDEA shall notify such unit member of his/her options as set forth herein.
- b. Any unit member, who is not a member of SDEA/CTA/NEA, or who does not make application for membership within thirty (30) days from the date of commencement of assigned duties with the bargaining unit shall:

1. Become a member of the Association through payroll deduction or pay the annual dues in one (1) lump sum payment to the Association, or
2. Pay a service fee, the amount of which is determined by the Association and authorized by Section 3540.1 (i)(2) of the Government Code and consistent with legal requirements; provided that it shall be the sole responsibility of the Association to ensure that such fee is legally determined and legally appropriate. The fee shall be paid through payroll deduction or may be paid in one (1) lump sum payment to the Association, or
3. Request exemption status from the Association. The amount equivalent to the fee described in Section 3.2 above must be paid to a non-religious, non-labor charitable organization, which is exempt from Title 26 of the Internal Revenue Code. The fee may be paid through payroll deduction (if available) or in one (1) lump sum payment to one of the charitable organizations listed below:
 - a. Association of Retarded Citizens
 - b. Neighborhood House of San Diego
 - c. SDEA Scholarship Fund

c. FEE PAYER STATUS:

Unit members who do not apply for membership or for religious objector status within the established timelines shall be classified as “fee payer”, and SDEA shall notify the District to begin automatic payroll deduction as established in Education Code Section 45061. Fee payers are entitled to benefits equal to the benefits of membership in SDEA/CTA/NEA except that the following services/rights shall not be provided:

1. The right to vote in SDEA/CTA/NEA elections.
2. Economic Services provided only to members and not related to Collective Bargaining.
3. Legal and or GLS representation.

d. APPLICATION

Unit members shall apply for Religious Objector Status in writing on Association approved application forms within the timeline set forth in written notice.

e. CRITERIA FOR RELIGIOUS OBJECTOR STATUS:

The following criteria will be used to determine a unit member’s qualification for Religious Objector Status.

1. RELIGIOUS GROUNDS:

The unit member’s application will require membership certification in an incorporated religious group, an officially adopted statement of faith, bylaws, historical documentation that demonstrates traditional tenets or teachings which include objections to joining or financially supporting labor organizations in general, and a statement or verification of personal commitment to the position held by the religious group. Any unit member who is a

member of a religious body whose traditional tenets or teachings include objections to joining or financially supporting employee organizations shall not be required to join or financially support the Association. Such unit members shall apply to the Association for an exemption as described herein. The Association shall develop a process provided for hearing by a neutral third party.

2. APPROVAL/DENIAL OF APPLICATION:

The Association will notify all unit members of approval or denial within forty-five days of the deadline date of the application. A unit member whose request for objector status has been denied will have fifteen days to appeal.

f. APPEAL

1. Upon receipt of a written request to appeal the denial of Religious Objector Status, the Association shall request the State Conciliation and Mediation Service to appoint an impartial mediator to conduct a single hearing for all appeals filed within a reasonable time frame. (11/28/07)
2. During the appeal hearing, the unit member will be limited to explaining reasons set forth on the written application. No new reasons will be allowed. Unit members may present the case themselves and/or have a representative present. If a representative will be present, the unit member shall notify the Association in writing (two weeks) prior to the hearing. The representative may be anyone of the appellants choosing; however, the applicant must bear the expenses incurred by it's representative. The decision of the mediator would be binding on both parties.
3. Until a decision on the appeal is rendered, payment of the agency fee/charitable contribution will be deducted and placed in an escrow account.

g. REVIEW OF RELIGIOUS EXEMPTION

Provided that the Association has no cause to presume a-change in the unit member's religious exemption status, once an exemption is granted, it need not be renewed on an annual basis. However, proof of payment of the charitable funds shall be made to the Association annually no later than October 1, as a condition of continued exemption. Failure to deposit the required charitable contribution shall be grounds for the Association to notify the District to begin payroll deduction of the Agency Fee in accordance with Education Code Section 45061.

STANDING RULE 4.0

COMMITTEES AND TASK FORCES

4.1 Duties of Chairpersons

4.2AR/CR Duties

4.3Grievance Steering Committee

4.4 Guidelines for SDEA Committee Expenditures

STANDING RULE 4.1

COMMITTEE CHAIRPERSONS

a. Duties of Committee Chairperson:

1. Establish meeting dates and cause each member to be notified one to two weeks in advance of each meeting. (5/20/75) (11/8/78)
2. Prepare an agenda for each meeting. (5/20/75) (11/8/78)
3. Shall receive prior approval from the President or Executive Director to schedule room facilities in the SDEA building. Notify the SDEA staff at least two weeks in advance of the time and place for each meeting. (5/20/75) (11/8/78)
4. Maintain a file of sign-in sheets of members and guests at each meeting. (5/20/75) (11/8/78)
5. Bring official actions and recommendations of the committee to the Board of Directors: (5/20/75) (11/8/78) (3/9/88)
6. By the end of May, provide a summary report on committee activity for the year to be filed with the official minutes. (5/20/75) (11/8/78)
7. Include with the summary report an official list of all members with the number of meetings held and the number of meetings attended by each member. (5/20/75) (11/8/78)
8. Prepare articles for the Advocate when appropriate. (12/7/77) (11/8/78)

STANDING RULE 4.2

ASSOCIATION REPRESENTATIVE/COUNCIL REPRESENTATIVE

a. The primary duty of the Association Representative (AR) and the Council Representative (CR) is that of an informational link between SDEA and the school faculty. It is the AR's and CR's responsibility to communicate individual and collective interests and concerns of the faculty to SDEA. Likewise, it is the responsibility of the AR and the CR to relay SDEA's actions and decisions that are crucial to our profession.

b. AR Duties

1. Shall be the official Grievance representative for site enforcement of the contract for teachers. (11/8/78)
2. Shall assure due process for teachers in the Grievance procedure. (11/8/78)
3. Shall undergo extensive training to understand the contract and teachers' rights. (11/8/78)

4. Shall file a Level One (level 2, if appropriate) Grievance when requested. (11/8/78) (05/25/11)
 5. Shall represent all bargaining unit members at his/her site/program in accordance with SB 160 (Rodda). (11/8/78)
 6. Shall attend meetings of the Representative Council and workshops relating to their function. (10/10/79)
 7. Conduct monthly site meetings
 8. Develop and update SDEA bulletin board at site.
 9. Supervise SDEA mandated elections.
 10. Distribute information items:
 - a. SDEA Advocate
 - b. Bargaining Updates
 - c. Election Information
 11. Recruitment of new members
 12. Be an advocate for the Association
 13. Serve as a member of site governance team, and other assignments required by the Collective Bargaining Agreement.
 14. Assist site in determining if a contract waiver is needed for a restructuring plan.
- c. CR Duties
1. Shall attend all regular and special meetings of the Representative Council and shall notify their designated alternate if they cannot attend.
 2. Shall present to the Representative Council all matters referred to them by members at their work location.
 3. Shall promote good public relations in matters pertaining to the SDEA/CTA/NEA.
 4. Shall interpret the SDEA/CTA/NEA position to members at their work location.
 5. Shall call meetings at their work location in order to report and discuss all Association business.
 6. Shall be responsible at their work location for the performance or delegation to others of the following duties:
 - a. Posting of materials from the SDEA/CTA/NEA teaching profession.
 - b. Handling of Association business at the site.
 7. Shall serve as liaison between their constituents and the Representative Council.

8. Shall report to their constituents all actions and policies of the Representative Council.
 9. At work locations having two (2) or more representatives, one (1) shall be designated to carry the primary responsibility for the performance of duties listed in 5 and 6 above.
 10. Involve SDEA members in Association activities and actively recruit members.
- d. AR's and CR's Additional Involvement
1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty 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 of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose;
 4. Perform such additional duties as prescribed by the Board of Directors;
 5. Join and participate in SDEA committees; and
 6. Utilize SDEA staff for information and problem solving.

STANDING RULE 4.3

GRIEVANCE STEERING COMMITTEE

- a. The Committee shall be appointed by the President, subject to concurrence by the Board of Directors. The Chairperson votes only in case of a tie. (11/8/78) (10/10/79) (11/28/07)
- b. The Committee shall assist in identifying an Association Representative(s) for every eligible unit. (11/8/78) (11/28/07)
- c. The Committee shall assist in surfacing Level One grievances and shall serve in an advisory capacity to the Association Representatives. (11/8/78)
- d. The Committee shall plan and provide for Association Representatives training and may excuse attendance from the training sessions. (11/8/78)
- e. The Committee shall be made aware of all arbitration cases and joint recommendations should be made to the Board of Directors whenever feasible. (11/8/78)

- f. The Committee shall have access to officially filed grievances, which shall be maintained, at the SDEA office. Records shall be available for scheduled meetings so long as the right of privacy of grievant(s) shall not be violated. (11/8/78)
- g. The Committee shall identify inadequate sections of the contract so that recommendations for corrections can be made to the Bargaining Committee. (11/8/78)
- h. The Committee shall provide input in support of the publicity for the contract enforcement program as requested by the Executive Director. (11/8/78)

STANDING RULE 4.4

GUIDELINES FOR SDEA COMMITTEE EXPENDITURES

- a. At the annual SDEA budget hearings, each SDEA committee for which a specific budgeted amount is to be considered in the budget establishment process shall present an outline of the committee's standing responsibilities and proposed goals and objectives for the subsequent Association fiscal year. Accompanying the outline shall be a funding proposal request delineating estimated expenditures to carry out the proposed committee responsibilities, goals and objectives for the subsequent fiscal year. (2/13/80)
- b. In the fiscal year for which a final budgeted amount has been adopted, SDEA committees, before making any expenditures, shall file for approval from the Board of Directors an outline of standing responsibilities, goals and objectives for which the budgeted amount may be expended within the fiscal year. (2/13/80)
- c. The Board of Directors retains the right to control funding of expenditures, which are contrary to the interests of the Association. (2/13/80)
- d. Committee requests for funding which have not been budgeted shall be made directly to the Board of Directors in accordance with the timeline identified in Standing Rule 2.6. (1/13/80)

STANDING RULE 5.0
SDEA INTERNAL MATTERS

- 5.1 Election Rules
- 5.2 SDEA Recognition

STANDING RULE 5.1
ELECTION RULES

- a. All elections will be conducted according to the SDEA Election Procedures , and every candidate for an SDEA or affiliate election position will be furnished a copy of these rules by the Elections Chairperson (or his/her designee) (3/20/74) (2/13/80) (5/25/11)

STANDING RULE 5.2 (11/28/07)

SDEA RECOGNITION

- a. The Recognition Committee is responsible for planning and organizing the following activities:
 - Day of the Teacher Celebration
 - SDEA Awards Banquet
 - Recognition activities at the Representative Council meetings
- b. The Recognition Committee is responsible for the publication and dissemination of information about the SDEA Scholarship program. The committee organizes the activities involved in the selection of the scholarship winners and presentation of the awards.
- c. The committee is responsible for the selection of the award recipients for the following awards:
 - Who Awards
 - Crystal Apple
- d. The President is responsible for selecting the recipient(s) of the SDEA President's Award.
- e. The Board of Directors is responsible for selecting the recipient(s) of the SDEA Board of Directors' Award.
- f. The Executive Director is responsible for selecting the recipient(s) of the Executive Director's Award.

STANDING RULE 6.0

CTA MATTERS

6.1 SDEA REPRESENTATIVES ON STATE COUNCIL OF EDUCATION

STANDING RULE 6.0

CTA MATTERS

- a. SDEA Representative(s) on State Council of Education

STANDING RULE 6.1

SDEA REPRESENTATIVES ON STATE COUNCIL OF EDUCATION

- a. Is a member of the State Council and is expected to attend Service Center Council meetings. (1/22/65) (11/28/07)
- b. Will familiarize himself/herself with the governing documents, Standing Rules, and Major Policies of SDEA (1/22/65) (11/28/07)
- c. Informs the SDEA President at least 48 hours in advance, where possible, in the event he/she is unable to attend a State Council and or Service Center Council meeting. (1/22/65)
- d. The President or chairperson is responsible for transmitting to the delegation SDEA mandates on Major Policies. (1/22/65) (11/28/07)
- e. Alternates to CTA State Council of Education shall be elected by the SDEA membership in the following manner: candidates not elected as State Council Representatives shall become alternates to State Council in chronological order based on the number of votes received for the position of State Council Representative. In the event that the Association does not have the number of appropriate alternates, a special election shall be held to fill the vacancies. (8/15/73) (11/8/78) (3/9/88)

STANDING RULE 7.0

NEA MATTERS

- 7.1 Election of NEA-RA Delegates
- 7.2 NEA-RA Delegate Reimbursement
- 7.3 NEA-RA Chairperson

STANDING RULE 7.1

ELECTION OF NEA DELEGATES

Delegates to the NEA-RA shall be elected at-large in accordance with NEA election guidelines. (10/18/78) (11/8/78) (11/28/07)

STANDING RULE 7.2

NEA-RA DELEGATE REIMBURSEMENT

SDEA delegates to the NEA-RA shall receive reimbursement for attendance at the NEA-RA on a pro-rata basis of the amount budgeted by dividing the actual number of those who attended into the unencumbered amount budgeted. (11.8.78)

- a. Those who do not attend the total number of sessions shall receive a lesser reimbursement in proportion to the number of sessions of nonattendance. (11/8/78) (11/28/07)
- b. The chairperson of the SDEA delegation shall set up an account at the site of the RA meeting and reimburse participants on the last day of the scheduled agenda. (10/18/78) (11/8/78)

STANDING RULE 7.3

NEA-RA CHAIRPERSON

- a. The ballot for SDEA President shall include the designation NEA-RA delegate. (10/13/78)
- b. The President shall assume the position of chairperson of the SDEA delegation to the NEA Convention. (12/13/78)

STANDING RULE 8.0

COLLECTIVE BARGAINING

- 8.1 Association Representatives
- 8.2 Bargaining Procedure
- 8.3 Reports to the Board of Directors
- 8.4 The Bargaining Commission

STANDING RULE 8.1

ASSOCIATION REPRESENTATIVES

- a. The President shall be responsible for the appointment of members to the Bargaining Team subject to concurrence of the Board of Directors. He/she shall also be responsible for maintenance of a list of available alternates to serve in the absence of a regular member. In selecting members of the Bargaining Team, the President shall attempt to maintain a balance of expertise and to establish equal representation to all Association members. (3/1/71) (12/13 78)

- b. Association members on the Bargaining Team shall be responsible to the SDEA Board of Directors. Such members may be recalled for just cause by a two-thirds (2/3) vote of the membership of the SDEA Board of Directors. (3/11/71) (12/13/78)
- c. The President shall appoint Association Representatives, subject to the approval of the SDEA Board of Directors to any consultation committees that rise out of the bargaining process. Such representatives shall be properly instructed by the Executive Director concerning applicable Major Policies and shall be required to report to the SDEA Board of Directors when necessary to receive guidance. (3/1/71) (12/13/78) (11/28/07)

STANDING RULE 8.2

BARGAINING PROCEDURE

Bargaining between the San Diego Education Association and the Board of Education of the San Diego Unified School District shall be conducted pursuant to the Government Code, the current contract between SDEA and the District pursuant to the Association Governance Documents. (3/1/71) (12/13/78) (11/28/07)

STANDING RULE 8.3

REPORTS TO THE BOARD OF DIRECTORS

The Executive Director shall support and assist the Bargaining Team in keeping the Board of Directors informed on the negotiating process whenever the situation makes it desirable. (3/1/71) (12/13/78)

STANDING RULE 8.4

THE BARGAINING COMMISSION

- a. At least nine months prior to the expiration of a collective bargaining agreement, the President shall appoint with the concurrence of the Board of Directors, a Bargaining Commission composed of a minimum of twenty (20) Association members representing a broad cross section of the Association bargaining unit. (11/28/07)
- b. The Bargaining Commission as composed shall assume the tasks and responsibilities:
- c. Participate in negotiations training activities.

- d. Develop, distribute and tabulate a survey of the Bargaining Unit to determine issues of concern to the membership during the upcoming round of negotiations.
- e. Conduct hearings for members and interest groups among the membership regarding issues of concern during the upcoming round of negotiations.
- f. Conduct research to support potential Association bargaining proposals.
- g. Participate, as requested by the Bargaining Commission, in developing the Association's proposals for the upcoming round of negotiations.
- h. In cooperation with and at the request of the Bargaining Team, serve as rotating members of the bargaining team during negotiations with the district.
- i. Interested Bargaining Commission members will be considered for vacancies on the Bargaining Team; however, nothing herein shall prevent the Association from selecting bargaining team members from other sources, based upon the needs of the Association.

STANDING RULE 9.0
AFFILIATIONS

9.1 SDEA/SDEA-R
STANDING RULE 9.1

AFFILIATION BETWEEN THE
SAN DIEGO EDUCATION ASSOCIATION (SDEA) AND THE
SAN DIEGO EDUCATION ASSOCIATION—RETIRED (SDEA-R)

- a. Recognition: The SDEA recognizes that the SDEA-Retired is a continuation of the SDEA and is united with the SDEA in solidarity towards improving the working conditions of teachers and the learning conditions of students. (5/25/11)

SDEA ELECTION PROCEDURES

(NOMINATIONS AND ELECTIONS)

A. Elections Committee

- 1. There shall be an Elections Committee.
- 2. The Elections Committee and Chairperson shall be appointed annually by the President with the concurrence of the Board of Directors.
- 3. The Committee shall be composed of at least three members who are not on the Board of Directors, 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. A member shall abstain from participation in all Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate.

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 an all Active member vote.
4. All active members shall be provided election information by mail and/or by last known private email. A member who is off-track, at a Child Development Center, Program, and Visiting Teachers shall be sent election information by U.S. mail to his/her last known residence and/or by last known private email. (5/25/11)
5. A chapter shall provide means for all Active members to vote by paper or online ballot
6. The election committee shall determine, and cause to be created, lists needed for elections. (5/25/11)
7. When voting at sites, if a roster of Active members is prepared for a school site ahead of **time, initials of members may be accepted. (5/25/11)**
8. 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. (5/25/11)
9. Members voting online are required to use unique number(s) as determined by the election committee. (5/25/11)

C. Timeline

1. Schools on alternative calendars shall be considered when setting election timelines.
2. The election begins with the announcement of vacancy(ies) and terms of office and cannot be stopped until the conclusion of the election, including run-offs if necessary (5/25/11)
3. The timeline for Elections shall include the following: (5/25/11)
 - a. Announcement of vacancy(ies) and term(s) of office using methods that provides all members the opportunity to file a declaration of candidacy;
 - b. The term(s) of office shall be clearly stated on the following documents;
 1. Announcement;
 2. Declaration of Candidacy form; and
 3. Ballot
 - c. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;
 - d. Place, time and date of receipt (date received, not post-marked date) for declaration of candidacy forms;
 - e. Final date to acknowledge candidates' declaration of candidacy forms;
 - f. Date(s) for preparation of ballots;
 - g. Date on which ballot s will be distributed;
 - h. Final date by which to request a ballot;
 - i. Date(s) when voting will take place;
 - j. Deadline date, time and place for return/casting of ballots, (date received, not post-mark date);
 - k. Date(s), time and place where ballots will be counted/verified;

- l. Date that announcement of results shall be made to leadership, candidates, members, and posted at each work site, which date shall not be later than five (5) calendar days following the counting/verifying of ballots.
- m. Dates and timelines for run-off election, if necessary.
- n. Deadline for filing of challenges (date received, not post-mark date).

D. Procedures

1. Declaration of Candidacy Forms will be available at SDEA and on the Website following the announcement of vacancy(ies). (www.sdea.net)
2. Declaration of Candidacy Forms shall be submitted to the designated SDEA staff by either email, fax, US. Mail or hand delivered (between the hours of 8:00-5:00) to the SDEA office by the announced deadline.
 - a. Designated SDEA staff verifies receipt by deadline
 - b. Designated SDEA staff will make 3 copies of the Declaration of Candidacy form, the original goes to the Elections Chair, and one copy each to the staff election liaison, the nominee, and the SDEA Receptionist/Secretary.
3. Candidates will receive confirmation from the SDEA office that their Declaration form has been received either by email, US mail, or a written receipt when hand delivered.
4. Election guidelines will be sent to the candidate upon receipt of their Declaration by either email, US mail, or when hand delivered. Candidates must confirm receipt of Election guidelines by contacting the office through email, fax, phone call, or by signature.
5. Written campaign statements must be received at SDEA by the announced deadline, which is 5:00 on the Friday immediately following the close of nominations (at Rep. Council).
 - a. Campaign statements for SDEA Officers and SDEA Board of Directors shall be limited to 250 words.
 - b. Campaign statements for CTA State Council and NEA Delegate shall be limited to 25 words.
 - c. SDEA shall not edit statements. Any word(s) exceeding the limitations shall not be printed.
6. 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.
7. Each candidate may, at this/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 by the announced deadline, it will be packaged and distributed to each site to be posted.
8. Flyers provided by the candidates will not be edited. However, in the event that a flyer has verifiable inaccurate information, SDEA will allow a the candidate a 3 day extension to correct and reprint flyers to be distributed.
9. The distribution of any additional campaign materials is the responsibility of the candidate.
10. Except for what is set for the in 7 above, Council Representatives shall not be required to distribute a candidate's materials. District procedures prohibit the use of school mail for this purpose.

E. Campaign Finances and Use of Unit Resources (5/25/11)

1. Unit monies received through dues, assessment or similar levy shall not be used to promote any candidate.
2. A unit may not state or indicate its preference for a candidate in the unit's publications.
3. The use of links to any Association web site by a candidate is prohibited.

4. The Association shall not make available personal emails to candidates.
5. District email addresses and/or systems shall not be used for campaigning.
6. Candidates cannot campaign on any affiliated chapter/service center social networking sites created for association/leadership members to communicate with each other.
7. Each candidate shall have the right to a list of the work site names and work site addresses with the number of Active members at each site for the purposes of campaigning.
8. Privileges extended to one candidate shall be extended to all candidates. Treating all candidates the same by refusing to honor requests for distribution of campaign literature at candidate's expense (with the exception of Procedures 7-10 above) is not permitted.
9. A candidate cannot accept direct contributions from a unit's treasury or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, good will or credit.
10. A candidate cannot use the official logo of the unit or official logo of the unit or official Association title in a way that suggests that the candidate has the support of the unit, CTA or any of its affiliates. This prohibition includes candidate email addresses.
11. All campaign flyers/materials must include a disclaimer stating that the view and opinions expressed are those of the candidate and not necessarily those of the unit, CTA or any of its affiliates.

F. Ballot (5/25/11)

1. The names of the candidates shall be listed on the ballot in CTA alphabetical order. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.
2. The ballot shall state the name of the office, the term, the number of candidates to vote for, and the names of the candidates.
3. The ballot shall include space for a write-in candidate, except in run-off elections.
4. Method(s) allowed to receive ballots are by site, mail, at a specified voting site, or online

G. Voting Methods and Distribution of Ballots (5/25/11)

1. Each Active member shall receive instructions and a ballot either by paper or online.
 - a. 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. Visiting Teachers who are Active members as defined in SDEA Bylaws, Article II-Membership, Section 2, and have paid dues during the time the ballots were prepared shall be notified by mail in order to provide them an opportunity to vote.
2. Voting shall be by one or a combination of the following methods:

- a. By Site
 - 1. Voting At School 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. If a Site Representative is a candidate he/she shall not oversee the voting.
 - c. Campaign materials are not allowed in or near the polling area nor shall campaign materials be distributed with ballots.
 - d. The marked ballot must be returned to the designated site representative or ballot box.
 - e. 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 the Elections Committee.
 - f. Preliminary counts shall not be completed at school/work sites.
 - b. Voting At School Site(s)/Specified Voting Site Using Envelopes
 - 1. A list of current Active members shall be prepared, which includes each member's name and school address.
 - 2. The voter shall be provided with the following:
 - 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 printed name 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 in which to place the voted ballot and
 - d. Outer return envelope, addressed to SDEA on which the voter prints and signs his/her name, and school/ work site.
 - 3. The envelope with the ballot shall be date stamped when it is received in the SDEA office and then put in a locked ballot box until the votes are counted. The Elections Chair shall hold the key to the ballot box.
 - 4. At the time of counting, prior to opening, the names on the outer envelopes shall be checked against the official list of eligible voting members. The list and envelope shall be marked to show that the voter has returned a ballot and that the envelope has been checked.
 - 5. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - 6. All inner envelopes shall be placed in a separate receptacle.
 - 7. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

- c. Voting using U.S. Mail
 - 1. Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail.
 - 2. A list of current Active members shall be prepared, which includes the following: name, home address, or cost center address if the home address is not included in the SDEA data base.
 - 3. The mailing list shall exactly correspond to the current official roll of voting members.
 - 4. Members who are in the following categories; off-track during the time of the election, Child Development Centers, Programs, and Visiting Teachers in Active status, and members on dues-paying leave will receive ballots through the U.S. Mail. Ballots for members in the categories above, whose home addresses are not in the database will have ballots mailed to their cost center address.
- 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, printed name, and school/work site on the outer envelope addressed to the chapter; and
 - 4. Deadline date and time for receipt of the voted ballot to the SDEA office.
 - a. Inner envelope in which to place ballot;
 - b. Outer return envelope, addressed to the chapter which voter prints and signs\ his/her name and the school/worksite name.
 - 5. The envelope with the ballot shall be date stamped when it is received in the SDEA office and then put in a locked ballot box until the votes are counted. The Elections Chair shall hold the key to the ballot box
 - 6. At the time of counting, prior to opening, the names on the outer envelopes shall be checked against the official list of eligible voting members. The list and envelope shall be marked to show that the vote has returned a ballot and that the envelope has been checked.
 - 7. The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - 8. All inner envelopes shall be placed in a separate receptacle.
 - 9. The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

c. Online

Voting instructions shall be mailed to homes or personal emails of eligible Active members and shall be available on approved websites.

- a. Access to online ballot shall be by personal email or approved website(s)
- b. A paper ballot(s) option shall be provided. The marked ballot must be returned to a ballot box at a designated site.
- c. A data file of eligible Active members, approved by the Election Committee, shall be provided to the approved Election Vender. The approved Election Vender prepares all requested lists which must be approved by Election Committee. The approved Election Vender may count all paper ballots, counts on-line ballots and the Election Committee verifies all results.

H. Vote Requirement (5/25/11)

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

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

than the number of delegate positions to be filled. This election practice will not generate successor delegates.

9. For NEA State Delegates, the election will be by plurality vote. 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.

I. Counting of Ballots (5/25/11)

1. Each candidate may designate one observer, who may be the candidate, to observe the vote counting process. The observer shall not interfere with the work of the Elections Committee and must remain in the room where the vote count is taking place.
2. The Elections Committee shall verify signatures on envelopes with list of Active members/or signature sheets with ballots received, and count the ballots, on the date(s) designated on the election timeline.
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 include the following:
 - a. Member not listed on the voter roster;
 - b. Voter's intent unclear;
 - c. Votes cast for more than the number allowed;
 - d. Votes cast on unofficial ballot (probably reproduced); and,
 - e. Candidate is not a member
5. Ballots set aside and not counted are:
 - a. More ballots than signatures;
 - b. Ballot(s) submitted after deadline; and,
 - c. Voting envelopes without a signature.
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 in 4 above, and make a note of the decision. The ballots should remain separate.
7. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.
8. The Chairperson of the Elections Committee will deliver the report of the election results to the president and interested parties. The election results shall be posted at each work site, which date shall not be later than five (5) calendar days following the counting/certification of ballots as soon as possible following the election.
9. The ballots, voter sign-up sheets, and outer envelopes should be retained for one year after the election.

J. Challenge Procedure - (5/25/11)

1. A challenge cannot be initiated until after the results of the elections have been posted at the SDEA office immediately following counting of the ballots.
2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to the NEA-RA follow procedures in the CTA Elections Manual.
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 posting of the results of the election at the SDEA office. If the unit president is a candidate on the ballot, please see item 5. The notification must:
 - a. Specify which unit bylaws(s) and/or standing rule(s) has have been violated using the SDEA/CTA challenge form
 - b. Attach evidence of the violations, insofar as possible.
 - c. List names and addresses of parties who can give evidence.
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, SDEA'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 SDEA'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. Identify 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 Board of Directors.
5. Any member of the Board of Directors 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-Board of Directors 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 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 described in the Local Elections of CTA Elections Manual. The Governance Board must issue its decision(s) in writing to the challenger and the Elections Committee Chair.
7. If the challenging party(ies) wish(es) to appeal the decision of the SDEA'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 to the SDEA President. The appeal shall be the original challenge filed at the unit level, and shall include copies of the following documents:
 - a. SDEA's bylaws, standing rules, election procedures, or CTA manual section 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.
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-d) above by writing to the CTA President.

9. In the circumstance where an election has been conducted to elect one or more officers, and the elections results are challenged, the winner(s) of the election shall hold office until such time as the challenge is resolved.
10. The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the CTA Elections Manual.

K. Procedures for San Diego County Service Center Council and San Diego and Imperial Counties Central Labor Council Elections (5/25/11)

1. Election Schedule

- 1.1 All elections for San Diego County Service Center Council and San Diego and Imperial Counties Central Labor Council shall take place at the June Rep Council. All active members are eligible to run for these positions. Seats for both bodies are elected “at large.”
- 1.2 Terms of office for both San Diego County Service Center Council and the San Diego and Imperial Counties Central Labor Council will be one (1) year, from August 1 through July 31 of the following year.
- 1.3 SDEA members already serving as CTA State Council representatives shall also be deemed elected to the San Diego County Service Center Council during their term as CTA State Council representatives.

2. Nominations

- 2.1 Nominations may be submitted:
 1. up to one week prior to the June Representative Council meeting, or
 - d. at the June Representative Council meeting.
- 2.2 Candidates may self-nominate.
- 2.3 Verification of Receipt of Candidacy Forms
 - 2.3.1 Nominees must submit a declaration of candidacy form to the designated SDEA staff during regular office hours (8:00 am to 5:00 pm) by the announced deadline.

The designated SDEA staff shall make three copies of the declaration of candidacy form. Designated SDEA staff will make 3 copies of the Declaration of Candidacy form, the original goes to the Elections Chair, and one copy each to the staff election liaison, the nominee, and the SDEA Receptionist/Secretary.

Candidates who submit declaration forms by mail, email, or fax must send them to the designated SDEA staff. Candidates will receive confirmation from the SDEA office that their Declaration form has been received either by email, US mail, or a written receipt when hand delivered.

3. Election

- 3.1 If the number of nominations does not exceed the number of vacant seats for either body, the nominees for each body will be deemed elected unless there is objection from the floor of the Representative Council. If there is objection, the presiding officer will conduct a voice vote of the Representative Council. A two-thirds majority vote shall be required to approve the election.
- 3.2 If the number of nominations exceeds the number of vacant seats, the Elections Committee will print a ballot including the names of all nominees.

Ballots will be distributed to authorized Representative Council members present, and collected before the end of the meeting. Nominees will be listed on the ballot according to existing CTA Guidelines. Ballots will be counted by the Elections Committee.

- 3.3 Seats left unfilled after the June Representative Council meeting, or that become vacant during the normal term, may be filled by appointment of the SDEA President, with the concurrence of the SDEA Board of Directors. Appointees may serve on an interim basis until the next meeting of the Representative Council following the appointment, at which time the appointees, if approved by the Rep. Council, may serve the remainder of the term.

4. Observers

- 4.1 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.

5. SDEA Internal Procedures

- 5.1 All ballots not distributed shall be placed in a locked cabinet.
- 5.2 Election results shall be published and distributed to the school sites as soon as possible, within four days.
- 5.3 The SDEA President or designee shall notify the candidates of the election results within three days, or as soon as possible, after the counting of the ballots.

6. Representatives for San Diego County Service Center Council and San Diego and Imperial Counties Central Labor Council

- 6.1 Service Center Council representative(s)

- a. Election committee will determine the number of delegates. CTA guidelines and/or past apportioned formulas shall be considered using current local membership numbers.

- 6.2 Labor council representative(s)

- a. Election committee will determine number of delegates. Election committee shall consider apportioning representatives based upon labor council formulas for SDEA using current local membership numbers

- L. Initiative Procedures (5/25/11)

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 15 calendar days shall be permitted to obtain the signatures

of at least sixty (60) percent 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 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 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.

M. Referendum Procedures

1. Any action or proposed action of the Representative Council or the Board of Directors shall be referred to a vote of the Active membership upon two-thirds vote of the Representative Council at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
3. The chapter president shall cause a ballot to be furnished to the Active members no less than 15 calendar 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.

N. Recall Procedures

1. Any Active member(s) desiring to recall from office any person or persons having been elected must file a copy of a petition with the chair person of the Elections Committee before it can be circulated.
2. The petition must include the following information:
 - a. Name of individual who is the subject of the recall;
 - b. Office of individual;
 - c. Date of petition;
 - d. Name(s) of person(s) filing petition;
 - e. Notation that "Each signature must be in ink"; and
 - f. Space must be provided for the printed name, signature, work site and date of signing for each name on the petition.
3. Within fourteen (14) working days after receipt, the chairperson of the Elections Committee shall determine whether the petition contains the necessary information.
 - a. If the petition does not contain the necessary information, the Chairperson of the Elections Committee shall inform 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 also notify the other officers of the unit. A copy of the petition shall be enclosed.
4. Monies from a unit's treasury or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, good will and credit, or in-kind services must not be used in the recall process.
5. No unit may state or indicate its preference in the unit's newspaper, newsletter or communications to its members.
6. The timeline for gathering signatures will commence the day that the notice of intent is registered.
7. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least twenty-five percent (25%) of the membership making up the constituency of the person subject to the recall.
8. The signed petitions must be received by the Chairperson of the Elections Committee by the specified deadline date.
9. The Elections Committee shall have 10 calendar days after the receipt of the petition to verify signatures.
10. If there are insufficient signatures, the Chairperson of the Elections Committee shall notify the petition circulator(s) by mail that the petition failed for a lack of signatures.
11. Immediately upon verification of the signatures, the Chairperson of the Elections Committee shall notify the president/designee of the fact that a recall has been initiated.
12. The chapter president or the chapter vice president if the chapter president is the person being recalled, shall cause a ballot to be furnished to the Active members no less than twenty (20) calendar days after verification of membership. The period that school is officially not in session shall not be included in this count.
13. The election must be concluded within fifteen (15) calendar days of distribution of the ballots.
14. The election must be conducted with provisions for a secret ballot and voter sign-up sheets.
15. The election shall be certified in accordance to the unit's bylaws.
16. 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 elections results. The election results shall be posted at each work site as soon as possible following the election.

Agreement Between the
San Diego Education Association (SDEA)
and the
San Diego Education Association – Retired (SDEA-R)

(Revised May 25, 2011)

- I. Recognition: While SDEA-R is affiliated with CTA-R and NEA-R, it owes its existence to SDEA and the SDEA Constitution. SDEA and SDEA-R consider SDEA-R to be a continuation of SDEA united, with SDEA in solidarity toward improving the lot of teachers and students.
- II. Facilities: Both SDEA and SDEA-R members have invested in the facilities that are owned by SDEA, but SDEA-R recognizes that the cost of upkeep, cleaning, and other maintenance is continuing. Therefore, the following shall be recognized:
 - a. SDEA-R may use SDEA facilities at no cost, when available.
 - b. SDEA will provide a schedule of room set up costs.
- III. Services: Members of SDEA-R should be treated in the same manner as members of SDEA when it comes to services. However, these conditions must prevail:
 - a. Services involving use of materials, creativity, or machines should be considered beyond the normal scope of service to members.
 - b. Member services involving professional advice, legal rights, contractual rights, or inter-organizational conflicts shall be deemed to be no charge items to SDEA-R.
- IV. SDEA-R may report to the SDEA Board under the “member issues” time on the SDEA Board agenda.
- V. Issues between SDEA and SDEA-R should be resolved between the presidents of the organizations.