

Manhattan Beach Unified Teachers Association
STANDING RULES
Approved April 2007

NOMINATIONS AND ELECTIONS

A. Elections Committee

1. There shall be an Elections Committee.
2. The Elections Committee and Chairperson shall be appointed by the president and approved by the MBUTA Executive Board.
3. The Committee shall be composed of at least three members who are not on the Executive Board, who are familiar with MBUTA 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 Elections Committee activities during the period in which s/he or her/his immediate family member is a candidate.

B. Election Requirements

1. MBUTA 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 MBUTA.
2. Every Active member shall be assured of voting by secret ballot.
3. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
4. There shall be an all Active member vote.
5. MBUTA shall provide means for all Active members to vote (including vote by mail), and it shall be the responsibility of the member to notify MBUTA if s/he desires a ballot at a site other than the regularly scheduled voting place.
6. An Active member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot. If a roster of Active members is prepared for a school site ahead of time, initials of the member may be accepted.
7. All elections shall be decided by a majority vote, unless otherwise specified. In the event no candidate receives a majority vote, a run-off election shall be held between the candidates receiving the highest number of votes. The names on the ballot will be one more than the number of vacancies to be filled.

C. Announcement

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

D. Timeline

1. Schools on alternative calendars shall be considered when setting election timelines.
2. The timeline for the election shall include dates for:

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- a. Time, date, and place where declarations of candidacy are to be received. Literature shall include information that date is receipt date and not postmark date.
- b. Date for acknowledgment of declarations from candidates.
- c. Date for preparation of ballots.
- d. Date on which ballots will be distributed.
- e. Date(s) when voting will take place.
- f. Deadline date for requesting absentee ballot.
- g. Deadline date, time and place for return of ballots, (date received, not post-mark date), including absentee ballots.
- h. Date, time and place where ballots will be counted.
- i. Date(s) that announcement of results will be made to leadership, candidates and members.
- j. Dates and timelines for run-off election, if necessary.
- k. Deadline for filing of challenges (date received, not post-mark date).

E. Finances and Use of MBUTA Resources

1. MBUTA monies received through dues, assessment or similar levy shall not be used to promote any candidate.
2. A candidate may not accept direct contributions from MBUTA's treasury or indirect contributions in the form of use of MBUTA's assets, facilities, staff, equipment, mailings, good will and credit.
3. MBUTA may not state or indicate its preference for a candidate in MBUTA publications.
4. The official logo of MBUTA or official Association title may not be used in a way that suggests that the candidate has the support of the MBUTA, CTA, or any of its affiliates.

F. Candidate's Rights

1. Privileges extended to one candidate shall be extended to all candidates.
2. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
3. Each candidate shall have the right to a list of the name and address of school sites and the number of Active members at each site for the purposes of campaigning.
4. Each candidate shall be treated in a fair and equitable manner in the printing and distribution of campaign statements.

G. Ballot

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

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H. Distribution of Ballots and Method of Voting

1. Each member shall receive a ballot.
2. Voting shall be by one or a combination of the following methods:
 - a. At School Site/Specified Voting Site. If a Site Representative is a candidate, refer to A. *Elections Committee*, 5.
 - 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) The marked ballot must be returned to a designated site representative or ballot box.
 - c) Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time.
 - d) Active members who are on a dues paying leave shall be notified by mail in order to provide them an opportunity and right to vote.
 - 2) Voting At School Site(s)/Specified Voting Site Using Envelopes. When voting is conducted at school or specified sites using envelopes, the procedure shall be as follows:
 - a) A list of current Active members shall be prepared, which includes each member's name and school address and home address.
 - b) The voter shall be provided with the following:
 - (1) A ballot;
 - (2) Instructions on folding of the ballot in the inner envelope; placement of the ballot in the unsigned inner envelope; signature on the outer envelope addressed to MBUTA; and deadline date for receipt of the voted ballot at the MBUTA office;
 - (3) A small envelope (inner envelope) in which to place the voted ballot; and,
 - (4) A larger envelope (outer envelope) addressed to MBUTA, on which the voter prints and signs his/her name.
 - c) At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.
 - d) The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - e) All inner envelopes shall be placed in a separate receptacle.
 - f) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.

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- g) Active members who are on a dues paying leave shall be notified by mail in order to provide them an opportunity to vote.

- b. By mail. When the voting is conducted by mail, the procedure shall be as follows: Active members who are on a dues paying leave shall be notified by mail in order to provide them an opportunity to vote. Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:
 - 1) A list of current Active members shall be prepared, which includes the following: name, school and home address. A determination shall be made prior to the election on whether the ballots shall be sent to the school or the home address.
 - 2) The mailing list shall exactly correspond to the current official roll of voting members.
 - 3) Each voter shall be provided with:
 - a) A ballot;
 - b) Instructions on:
 - (1) Folding and placing of the ballot in the unsigned inner envelope;
 - (2) Placing of the unsigned inner envelope into the outer envelope;
 - (3) Signature and school on the outer envelope addressed to MBUTA; and
 - (4) Deadline date for receipt of the voted ballot at the MBUTA office.
 - c) Inner envelope;
 - d) Outer return envelope, addressed to MBUTA.
 - e) Instructions on returning the voted ballot, including the signature.
 - 4) The ballot shall be date stamped when it is received in the MBUTA office and then put in a safe place until the votes are to be counted.
 - 5) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.
 - 6) The outer envelopes shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - 7) All inner envelopes shall be placed in a separate receptacle.
 - 8) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked, and then counted.

I. Vote Requirement

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

- 1. A majority vote means more than fifty percent (50%) of the legal votes cast.
- 2. A plurality vote means the largest number of votes to be given any candidate or issue.
- 3. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
- 4. For MBUTA officers, the election will be by majority.
- 5. For State Council: See the Election Timelines, Procedures, and Guidelines in section IV-9.2 of the CTA Elections Manual. Results must be sent to the Service Center Council

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Elections Committee to determine if a candidate has received a majority vote. This election is conducted by the Service Center.

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 majority 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 if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates: See the Election Timelines, Procedures and Guidelines in section VII-7 through VII-9 of the CTA Elections Manual. This election is conducted by the Service Center.
10. For additional CTA/NEA election guidelines refer to the official CTA Elections Manual.

J. Counting of Ballots

1. Upon receipt of ballots, tally sheets and signature sheets, the Elections Committee shall count the ballots in a secure area with only the Elections Committee members and observers present.
2. The Elections Committee shall count valid ballots and set aside any ballot(s) on which there is a question, such as:
 - a. Blank ballot;
 - b. More ballots than signatures;
 - c. Ballot submitted after deadline;
 - d. Voter not an Active member;
 - e. Voter's intent unclear;
 - f. Votes cast for more than number allowed;
 - g. Vote cast on unofficial ballot;
 - h. Vote cast for ineligible candidate.
3. The Elections Committee shall make a determination on whether the vote(s) in each category should be counted, and make a note of the decision. Each category of ballot shall be kept separate.
4. The Elections Committee shall prepare the Final Report, recording the following information:
 - a. Total number of ballots cast.
 - b. The number of set aside ballots with an explanation for each category of ballot not counted.
 - c. The number needed to win or pass.
 - d. The number of votes received by each candidate or issue.
 - e. A notation whether the set aside votes would affect the outcome.

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- f. Signature of each Elections Committee member present during the preparation of the report.
5. The Elections Chair shall submit the Final Report to the President or designee who shall inform all candidates of the results.
6. The President shall announce the results as prescribed by the timelines.
7. If the votes set aside could affect the outcome of the election, the President and the appropriate body shall decide:
 - a. to count the votes which have been set aside;
 - b. not to count the votes which have been set aside; or
 - c. if the election should be conducted again.
8. Any candidate who may be affected by the vote shall not be allowed to take part in the decision-making process.
9. The ballots and voter sign-up sheets shall be retained for one year after the election.

K. Observers

1. Each candidate shall be allowed to have an observer at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
2. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results and has notified each candidate of the results.

L. Challenge Procedure

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. The challenging party(ies) must notify the MBUTA president of a challenge in writing within ten (10) days after the announcement of the results of the election. The notification must:
 - a. Specify which requirement has been violated.
 - b. Include evidence, insofar as possible.
 - c. List names and addresses of parties who can give evidence.
3. Within ten (10) calendar days after receipt of the challenge, the MBUTA Elections Committee shall, in accordance with the MBUTA bylaws and standing rules, conduct an investigation and determine whether:
 - a. The challenge alleges a violation of the MBUTA's elections requirement.
 - b. The challenge is supported by appropriate documentation.
 - c. More information is needed, in which case, the information will be obtained via the most feasible method.
 - d. The alleged violation may have affected the outcome of the election.

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4. The Elections Committee shall submit a report including issues and recommendations to the MBUTA President and the MBUTA Executive Board. The Board shall act on the report immediately at its first opportunity.
5. If an individual wishes to appeal the decision of the MBUTA Executive Board, or if the board fails to act, he/she may file an appeal within ten (10) calendar days from the date of the filing of the challenge by writing to the CTA President.
6. 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.

M. Initiative Procedures

1. The Active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
2. An Active member shall file a notice of the intent to circulate a petition with the MBUTA 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 MBUTA 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 45-school days shall be permitted to obtain the signatures of at least 10 percent or more of the Active members of MBUTA. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the MBUTA president the petition(s) containing original signatures.
6. The MBUTA president shall have 5 school 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. The petition circulator shall have an additional 7 school days in which to gather and submit the necessary signatures. The chapter president shall have 3 school days in which to verify the membership of the additional signers.
8. The MBUTA president shall cause a ballot to be furnished to the members no less than 15 school 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.

N. Referendum Procedures

1. Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the Active membership upon two-thirds 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.

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3. The MBUTA 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.

O. Recall Procedures

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by MBUTA's Active members.
2. An Active member shall file a notice of the intent to circulate a petition to recall with the MBUTA president by including a copy of the petition to be circulated, and the names of at least three persons supporting the proposed recall and responsible for its circulation. If the proposed recall is for the person holding the office of president, the request shall be made to the next ranking officer.
3. The MBUTA 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 60 calendar days shall be permitted to obtain the signatures of at least 25 percent or more of the Active members of MBUTA. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the MBUTA president the petition(s) containing original signatures or the vice president if the MBUTA president is the person being recalled.
6. The MBUTA president shall have 10 school days in which to verify the membership of the signers of the petition or the vice president if the MBUTA president is the person being recalled.
7. If there are insufficient signatures, the petition circulator shall be notified by mail that the petition failed for a lack of signatures. The petition circulator shall have an additional 15 school days in which to gather and submit the necessary signatures. The chapter president shall have 5 school days in which to verify the membership of the additional signers.
8. The MBUTA president shall cause a ballot to be furnished to the Active members no less than 20 school days after verification of membership. 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. Any necessary supplementary rules governing recall that are not in conflict with the foregoing may be adopted and published within the same publications and by the same manner as are prescribed for other elections within the Association.
11. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

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POLITICAL ACTION COMMITTEE

A. Purpose

The MBUTA Political Action Committee (MBUTA-PAC) shall be a component of the South Bay United Teachers Political Action Committee (SBUT-PAC), which is established to serve as a voluntary funding structure through which members of MBUTA may give direct and indirect financial contributions to support/oppose local and state candidates for office or to support/oppose state and local issues, including ballot measures.

B. Officers & Members

1. The two MBUTA members of the South Bay United Teachers Board of Directors shall serve as MBUTA-PAC co-chairs.
2. The term of office for MBUTA-PAC co-chairs shall run concurrent with the term of office for South Bay United Teachers Board of Directors.
3. The MBUTA president shall appoint, and MBUTA Executive Board approve, up to 4 additional MBUTA-PAC members to serve with the co-chairs for the duration of individual chapter campaigns.

C. Funding & Spending

1. A voluntary "negative check-off" dues amount of \$3 per member per month will be placed in the SBUT-PAC account, credited to the MBUTA-PAC.
2. There shall be two categories of possible expenditures. The general category shall include those campaigns that affect all member chapters of SBUT-PAC (statewide campaigns). The local category shall include those campaigns that affect only MBUTA members (local bond measures or school board campaigns).

a) General Campaigns

- 1) The MBUTA members of SBUT-PAC may authorize expenditures to campaigns of a general nature (state legislators, state issues) from the MBUTA portion of the SBUT-PAC monies. These expenditures shall be reported to the MBUTA Representative Council.

b) Local Campaigns

- 1) For each campaign that is deemed consistent with the statement of purpose of the committee, a budget shall be established by the MBUTA-PAC, with the approval of the MBUTA Executive Board, not to exceed the amount of funds credited to the MBUTA-PAC that are available in the SBUT-PAC account.
- 2) Spending by the MBUTA-PAC may occur within the constraints of the established campaign budget.
- 3) Reports of all expenditures will be provided to the MBUTA Representative Council on a monthly basis.
- 4) Spending guidelines may be adjusted by the MBUTA Executive Board with approval from the MBUTA Representative Council.
- 5) No amount of funding or support in kind can be given to support or oppose a candidate unless they are endorsed by the Manhattan Beach Unified Teachers Association.

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D. Endorsement Process

1. The MBUTA-PAC or the MBUTA Executive Board will forward recommendations to the MBUTA Representative Council for endorsement or opposition of candidates, issues or measures, who shall approve the recommendation by a majority vote.
2. The MBUTA-PAC will be involved in the endorsement process of officeholders by interviewing candidates and forwarding recommendations to the MBUTA Representative Council.

E. Membership

1. Any MBUTA member may serve with the MBUTA-PAC in a capacity which most effectively supports the statement of purpose.