Chapter chair elections

Time to choose your site’s chapter chair

Members will vote to fill positions for the 2015-16 school year.

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The annual election of a Chapter Chair is a vitally important piece of ensuring that UTLA is a member-driven union, with democratically elected representatives in every chapter. Besides helping organize their chapter, Chapter Chairs also defend professional rights, resolve conflicts with administration, and keep their members connected with UTLA.

In the next few issues, UNITED TEACHER is publishing the rules for Chapter Chair elections to help clarify and guide this important election process.

UTLA requests that each site make every effort to complete the election process no later than May 12, 2015, so that incoming Chapter Chairs can attend the May 13 Area Meetings.

Invitations to the newly elected Chairs and Co-Chairs for the UTLA Leadership Conference can only be extended if the election is held and the form provided to the current Chair is returned to UTLA no later than May 14, 2015.

UTLA chapter chair election rules and duties

The following are the rules for the election of UTLA Chapter Chair and Co-Chair.

In accordance with the UTLA Constitution, each UTLA chapter shall hold an election of chapter officers, including Chapter Chair, each spring, and shall notify UTLA of the results no later than May 16. If a chapter has a local constitution, which lists term of office as two years, the chapter must still submit the name of the Chapter Chair to UTLA each spring, indicating that the Chapter Chair is serving in the first or second year of the term.

Multi-track year-round chapters are to elect, on separate ballots, a Chapter Chair and Co-Chair from a different track, so that all tracks are serviced by one of the chairs at all times. Single-track chapters with more than 80 UTLA members are also entitled to elect a Co-Chair. All schools may elect up to two Vice Chairs who serve as assistants to the Chair and/or Co-Chair without regard to track assignment.

Multi-track schools are mandated by the House of Representatives to conduct the election of the Chair & Co-Chair over a track change, if possible. (There may be a run-off for the Chapter Chair running beyond the track change.) Please prepare well in advance to complete the entire election at that time! Rule 3 letter (i) still applies to year round schools.

1. Qualifications for Office, Voting and Challenged Ballots

To be eligible to run for office, a person shall have to have been a member of UTLA and at the same school site for at least two calendar months prior to balloting.

To be eligible to vote a person shall have to have been a member of UTLA at the same school site, and spend the majority of his/her work time at that site, for at least two calendar months prior to balloting.

A member who spends an equal amount of time at two schools shall choose one of the schools and will be entitled to one full vote.

Local Chapter Constitutions may increase the qualifications for office after a secret ballot vote of all site members and approval by the Board of Directors.
Magnet Schools, which share a site and a principal, and wish to have a separate UTLA chapter, must hold a secret ballot vote to do so before the beginning of the nomination process for the election of the Chapter Chair at the regular site begins. The secret ballot election shall include all UTLA members of the proposed chapter. Chapters that have been separated through a vote shall annually notify UTLA, through their Chapter Chair, of their desire to remain a separate chapter. In general, UTLA recognizes chapters based on the policy “one principal, one chapter chair, one chapter.”

Any person who requests a ballot but whose name does not appear on the UTLA-provided list, or whose code indicates that that person is not a full dues paying member of UTLA, or whose eligibility is challenged for any other reason, shall vote a Challenged Ballot. Said ballot shall be placed in a sealed envelope with the person's name and employee number on the outside of the envelope. The election committee shall call the UTLA Membership Department to verify the status of any individual who votes a challenged ballot. Only those ballots cast by members who are verified as eligible to vote shall be counted. No ballot shall be counted until all ballots have been verified.

2. Election Responsibilities of Current Chapter Chair

The Chapter Chair shall appoint a three-member election committee, the members of which must be UTLA members (not fee payers) and must not be candidates for office.

If there is no current Chapter Chair at the site, the election committee shall consist of three volunteers who are UTLA members (not fee payers) and not candidates for office.

The Chapter Chair shall request of UTLA the most current list of UTLA members at the site. If there is no Chapter Chair, a member of the election committee shall make the request.

The Chapter Chair shall give this list of members to the election committee for their use.

If a site has six or fewer UTLA members, the Chapter Chair shall appoint an election committee of at least one member. In the absence of a Chapter Chair, the entire membership shall meet and decide who shall conduct the election (preferably at least two teachers).

The Chapter Chair shall give a copy of these rules to the election committee and review all parts of it with them to make certain they understand their responsibilities. That ends the Chapter Chair’s involvement in the process.

3. Duties of the Election Committee

The election committee shall do the following:

(a) Select a chairperson
(b) Prepare a self-nominating form to be distributed to all eligible active UTLA members assigned to that site. (Mail to those off track). Nominations by a second party in writing or orally are not to be accepted. All nominations or withdrawals of a submitted nomination must be in writing by the nominee.
(c) Publicize, in writing, to all members the election timeline. The timeline shall include the date and time upon which the self-nominating forms must be returned, the date, time, location of the election and the procedures for counting the ballots. The timeline shall be sufficient to allow for mailed ballots.
(d) Make the polling site accessible to all eligible voters, and ensure that there is no attempt to solicit votes in any form in the immediate vicinity of the balloting area.
(e) Verify membership status (03) of all nominated candidates.
(f) Prepare a written ballot for contested elections, with the names of the self-nominated candidates. A candidate must win by a majority of the votes cast. (This may require a runoff between the top two vote getters). If the election is not contested, the self-nominated candidates shall be declared elected.
(g) Prepare a sealed secret ballot box to receive voted ballots.
(h) Indicate, on the UTLA-provided list of members, those members who received a ballot, to insure that only one ballot is given per member and only eligible active UTLA members receive a ballot.
(i) Permit voting for at least three school days to insure ample opportunity for all members to
vote. Year-round schools vote over a track change. This can be done during “Buy-back” and Pupil Free days. Ballots shall be kept in the sealed secret ballot box, which shall be secured each day by the chair of the election committee. If all eligible members vote in fewer days than the number of days set aside for voting, the committee may declare the election completed and count the ballots, after notifying members of the time and location where the count will take place.

(j) Mail a ballot to the address of record of any person who maintains active UTLA membership and is regularly assigned to the site in question, but who is absent from the site during the balloting period. (maternity leave, etc.). Those members who are absent due to extended illness, must request an absentee ballot in sufficient time to be voted and received back at the site by the last day of balloting.

Adult schools, with multiple sites, may conduct the voting by mail using the secret ballot double-envelope return procedure.

(k) Count the ballots at the time and place indicated in the election timeline. Any active UTLA member may witness the count. In case of a tie vote there shall be a flip of a coin.

(l) Publish the results of the election and notify UTLA immediately on the official form provided by UTLA of those results (no later than May 16).

(m) At this point, the election committee repeats steps a - j to elect a Co-Chair (multi-track year round schools and chapters with more than 80 members) or vice chair at any school. If the candidates for co-chair or vice chair are not also candidates for Chapter Chair both elections may be conducted at the same time.

(n) Secure all election materials for six months to insure their availability in case of a challenge to the election.

(o) In secondary schools - within ten working days following the completion of the Chapter Chair election, the chapter shall vote on the Chapter Chair release time as described in Article IV, section 8.1 b & c of the current contract, in order to give the site an opportunity to adjust the master schedule for the following school year.

In elementary schools - the release time election, pursuant to Article IV, section 8.1 a, b & c, shall take place within ten working days after it is known which specific teachers’ work load will be directly affected by the operation of the plan.

4. Election Challenge

Any active UTLA member at the site who believes that any of these election procedures has been violated, shall have 15 working days after the election results are known to send a written challenge by US mail to the Chair of the UTLA Constitution Committee, c/o UTLA Headquarters. Challenges may also instead be submitted via email if done so within 15 working days after the election results are known. However, the member must first present the challenge to the site election committee within five calendar days. If the rules were violated, the election committee should correct the errors, even if that requires starting the election process over from the beginning. Only those challenges that are not satisfactorily handled at the work site should be forwarded to the Constitution Committee.

As a result of any challenge to the election of a Chapter Chair, the UTLA Constitution Committee may authorize the election committee at the school site or the Board of Directors’ members representing the area in which the chapter is located, to conduct a new election at the site.

5. Special Categories

Election of Chapter Chairs for special categories pursuant to Article IV, Sec. 8.3 of the UTLA/LAUSD contract, and the list of itinerant groups entitled to their own Shared Decision Making councils, shall be overseen by the UTLA Constitution Committee. Said Committee shall notice the election and its timeline in an article in the UNITED TEACHER. A self-nominating coupon shall be included with the article. The election shall be conducted by mailed ballot. All categories with more than 80 UTLA members are entitled to elect a Co-Chair to assist the Chair in
his or her duties. The self-nominating coupon for Chair shall include Co-Chair.

The categories are: Article IV 8.3
Adapted PE
Audiometrists
Deaf and Hard of Hearing
Educational Audiologists
Elementary Counselors
ElementaryLiteracyCoaches
Non-Public Schools
Occupational and Physical Therapy
PH/PHH/LRE Counselors
Psychiatric Social Workers
Pupil Service & Attendance Counselors
School Nurses
School Psychologists
SecondaryCounselors
Speech and Language
Substitutes
-Central Calling Area
-North Calling Area
-South Calling Area
Traveling Art, Dance, Music Teachers
Visually Handicapped
Vocational Education

Members of these special categories who are assigned the majority of their workweek to one site are also eligible to be voters at that site. If they are assigned fulltime they are also eligible to be candidates for office at that site. (See #1 line 3 for members who spend an equal amount of time at two schools.)

6. Term of Office

Unless otherwise indicated in the chapter's own constitution and by-laws, the term of office of Chapter Chairs shall be one school year and shall begin on July 1 or when the election is completed, if after July 1.

7. Recall

The local chapter shall have the right to conduct a recall election of the elected Chapter Chair after a petition for cause by 40% of the chapter members (see #1 Qualifications for Office, Voting and Challenged Ballots) has been sent to the Constitution Committee and verified. The petition needs to include: Members' printed names, employee numbers and signatures. The petition must state the reason for the recall.

The recall election itself will require an affirmative vote of 50% plus one of the members voting. If the Chapter Chair is recalled, a new election would then be conducted. Both elections will follow UTLA's election rules. The recall vote and the vote for a new Chapter Chair may be conducted at the same time.

The Chapter Chair who is the subject of the proposed recall shall have the right to challenge the sufficiency of the recall petition prior to the conducting of any recall vote. The Chapter Chair must exercise this right within five (5) school days of his/her receipt of the petition.

8. Duties & Responsibilities of Elected Chair and Co-Chair

As the local legal representative of UTLA, the Chapter Chair shall be responsible for seeing to it that
all UTLA business at the local site is properly conducted according to the contract, the UTLA Constitution, official UTLA policy as determined by the UTLA House of Representatives, and any site-based management plans.

The UTLA Co-Chair (multi-track schools or large schools) takes over all Chapter Chair duties only when the elected Chapter Chair is off track and unavailable, absent, or at the request of the Chapter Chair. UTLA encourages all schools to elect a Vice Chair to help the Chapter Chair and/or Co-Chair to carry out the numerous responsibilities assigned to them. This is an elected office. We also encourage each chapter to elect other chapter officers to assist the Chair and/or Co-Chair such as Secretary, Treasurer, Social Chair, PACE Chair, etc.

9. Reserved UTLA Rights

Inasmuch as the Chapter Chair is the local legal representative of the union, the UTLA Board of Directors retains the right to remove Chapter Chairs for cause or malfeasance in office (i.e., failure to carry out their legal duties and responsibilities as outlined in the contract, the UTLA Constitution, or any site-based management plans). If UTLA removes a Chapter Chair as outlined above, the UTLA Board of Directors’ members representing the area in which the chapter is located, shall assist the chapter in the process of conducting a new election. Any chair removed from office for cause, may appeal the decision to the UTLA House of Representatives subsequent to an investigation and recommendation by the Constitution Committee.

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