



UTLA Chapter Chair Election Rules and Duties

CHAPTER CHAIR ELECTIONS for 2023-24

1. An all member chapter chair email announces the Chapter Chair Election process, with a link to a fillable self-nomination form sent out April 14th with a deadline of May 5th. This announcement will also be listed on the UTLA web site under "UTLA Chapter Chairs". This includes the school site and special category chapter chairs. Membership will be verified by the Research Dept.

Vice Chairs will be elected after the Chapter Chairs.

*Note: Per the UTLA 2019-22 Contract Agreement Article IV, Sec. 8.3 City Wide Special Category Chapter Chairs from specific chapters can have multiple chapter chairs and vice chairs.

2. The week of May 8th-12th, an email will go out to the uncontested chapter chair candidates and school members with the link to the fillable NOCCE (Notice of Chapter Chair Election) to notify them that they are uncontested and are the new (or continuing) chapter chair. When submitting the NOCCE form to dina.zubia@utla.net include the 2 Vice Chairs (with the option of 3 Vice Chairs for schools with over 80 members). If there are contested Vice Chairs an election will follow as stated in #3 below.
3. If more than one self-nomination form is received, the present chapter chair will be sent an email with these instructions for having a Chapter Chair Election conducted by an Election Committee.
 - The Election Committee will be provided with a list of members and the Election Rules. This volunteer committee will hold a three-day election at the school site before May 26th.
 - The Election Committee will send the results to UTLA on the fillable NOCCE form by May 26th 2023.
4. For those schools with no candidates, UTLA (Board, Officers, and Staff) will follow up through telephone calls, texts, and emails to leaders at the school site, sending the link for the NOCCE to members who are interested.
 - The first member who fills out the NOCCE, and it is received by UTLA will be the chapter chair.
5. After the election, an email will be sent to the new chapter chair with the fillable NOCCE form to fill out, which is required to complete the process.
6. 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 an election challenge to the UTLA Secretary, chair of the Constitution Committee. 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.

All City Special Categories Election

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. All interested candidates with verified membership can fill out the self-nomination link for Itinerant Chapter Chair, and up to two vice chairs (for categories with more than 80 UTLA members) by the deadline of May 5th.

Citywide Itinerant groups with Local District sub-divisions may elect a Vice-Chair for each sub-division. Per the UTLA 2019-22 Contract Agreement Article IV, Sec 8.3, a) The District shall recognize a Chapter Chair for each local district, or similar governance structure, for each of the following: School Psychologists, PSA Counselors, Psychiatric Social Workers, Nurses, Speech & Language Pathologists, Occupational & Physical Therapists, and VAPA educators. b) The District shall recognize up to six (6) Chapter Chairs for Substitutes. c) The District shall recognize one (1) Chapter Chair District-wide for each of the other itinerant employment categories. This includes: Adaptive PE, Audio metrists, Deaf and Hard of Hearing, Educational Audiologists, Elementary Literacy Coaches, Non-Public Schools, PH/PHH/LRE Counselors, Secondary Counselors, Visually Impaired/Orientation and Mobility, PE Itinerants and other bargaining units mentioned in Article 1, 1.0. d). UTLA shall annually provide written notification to the District Labor Relations Department identifying the bargaining unit members serving as lead itinerants and substitute Chapter Chair positions.

Members of these special categories who are assigned the majority of their workweek at one site are also eligible to be voters at that site. If they are assigned full time, they are also eligible to be candidates for office at that site.

If there are no candidates for citywide itinerant groups, positions will remain open until a self-nomination form is received.

School Site Chapter Chair Elections- See below for further guidance

The following are the rules for the election of UTLA Chapter Chair, and Vice Chairs. In accordance with the UTLA Constitution, each UTLA chapter shall hold an election of chapter

Chairs, each spring, and shall notify UTLA of the results no later than Friday May 26th. 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.

Chapters with more than 80 UTLA members are also entitled to elect an additional Vice Chair (total of 3). All Chapters may elect up to two Vice Chairs who serve as assistants to the Chapter Chair.

Qualifications for Office, Voting and Challenged Ballots at school sites

- To be eligible to run for office, a person shall have to have been an active member of UTLA and within the same Chapter 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, within the same Chapter, and spend most of his/her work time within that Chapter, for at least two calendar months prior to balloting.
- To be eligible to vote as an itinerant, substitute or pool teacher:
 - Work at the school site more than 50% of the time
 - Give their non LAUSD email address to the school site election committee
 - Provide this information to the Election Committee who makes the determination of eligibility.

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 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 ballot vote that includes UTLA members at impacted schools. If the majority of members vote for a separate chapter, elections for chapter chairs will be held for each school. 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”.

Election Responsibilities of Current Chapter Chair at school sites

If there are more than one Chapter Chair candidate, the Chapter Chair shall appoint a three-member election committee (or less persons for small schools), the members of which must be UTLA members 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 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 members).

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.

Duties of the Election Committee at school sites for contested elections

The election committee shall do the following:

- a) Select a chairperson.
- b) UTLA will provide the names of the candidates who have submitted their names on the Self-Nomination forms and have verified membership status. All nominations or withdrawals of a submitted nomination must be in writing by the nominee.
- c) Publicize, in writing (i.e., email), to all members at the school site, the election timeline. The timeline shall include the date and time for the three workdays for the election and when the votes will be counted.
- 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) 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).
- f) Prepare a sealed secret ballot box to receive voted ballots.
- g) Indicate on the UTLA provided list of members, those members who received a ballot to ensure that only one ballot is given per member and only eligible active UTLA members receive a ballot.
- h) Include itinerants, substitutes and pool teachers who meet the eligibility criteria to vote. Also include any educators who are absent due to illness or a leave of absence.
- i) Schools at multiple sites, and itinerants may conduct the voting by email (contact the UTLA Secretary for instructions)
- j) 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

- 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 NOCCE form of those results by May 26th.
- m) After a Chapter Chair election, if there are more candidates than Vice-Chair positions (3 at schools larger than 80, 2 at schools with less than 80 members), the same process is followed for Vice Chair elections.
- n) 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 8.1b & c of the current contract, to give the site an opportunity to adjust the master schedule for the following school year.
- o) 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' workload will be directly affected by the operation of the plan.

Members who are absent may request an absentee ballot in sufficient time to be voted and received back at the site by the last day of balloting.

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 an email to the UTLA Secretary, Chair of the UTLA Constitution Committee. 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.

Term of Office

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

Recall

The local chapter shall have the right to conduct a recall election of the elected Chapter Chair, or Vice Chair/s, 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 and be dated if a submitted petition does not contain signatures of 40% of the chapter members, any subsequent recall petition must be a new petition, with new signatures.

The recall election itself will require an affirmative vote of 50% plus one of the members voting. If the Chapter Chair, or Vice 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, or Vice Chair may be conducted at the same time.

The Chapter Chair, or Vice 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 member must exercise this right within five (5) school days of his/her receipt of the petition.

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.

One of the UTLA Vice-Chair (large Chapters) takes over all Chapter Chair duties only when the elected Chapter Chair is absent for more than two days, or at the request of the Chapter Chair. UTLA encourages all schools to elect a Vice Chair to help the Chapter 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 Vice-Chair such as Secretary, Treasurer, Social Chair, PACE Chair, etc.

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 after an investigation and recommendation by the Constitution Committee.

Special Categories Elections

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 with the same deadline of May 5th on the chapter chair self-nomination form. All categories with more than 80 UTLA members are entitled to elect an additional Vice-Chair to assist the Chair in his or her duties. Citywide Itinerant groups with Local District sub-divisions may elect a Vice- Chair for each sub-

division indicated on the self-nomination form. Per the UTLA 2019-22 Contract Agreement Article IV, Sec 8.3,

- a) The District shall recognize a Chapter Chair for each local district, or similar governance structure, for each of the following: School Psychologists, PSA Counselors, Psychiatric Social Workers, Nurses, Speech & Language Pathologists, Occupational & Physical Therapists, and VAPA educators.
- b) The District shall recognize up to six (6) Chapter Chairs for Substitutes (Substitutes Central Calling Areas (1,2,3), Substitutes North Calling Area (1,2,3,4), and Substitutes South Calling Areas (1,2,3).
- c) The District shall recognize one (1) Chapter Chair District-wide for each of the other itinerant employment categories. This includes: Adaptive PE, Audio metrists, Deaf and Hard of Hearing, Educational Audiologists, Elementary Literacy Coaches, Non-Public Schools, PH/PHH/LRE Counselors, Secondary Counselors, Visually Impaired/Orientation and Mobility, PE Itinerants and other bargaining units mentioned in Article 1, 1.0.
- d) UTLA shall annually provide written notification to the District Labor Relations Department identifying the bargaining unit members serving in itinerant and substitute Chapter Chair positions.
- e) 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 full time, they are also eligible to be candidates for office at that site.

Arlene Inouye

UTLA Secretary

ainouye@utla.net

Jennifer McAfee

UTLA Secretary-Elect

Jennifer.mcafee@utla.net

