

# **The proposed Constitutional Amendment that will be voted on**

**Bold and Underlined = new language to the Constitution**

**~~Strikethrough~~ = to be removed from the Constitution**

## **VI. OFFICERS – Effective as of April 2010 Nominations and Election**

### *14. Elections:*

a. The elections for President, Chapter officers and Chapter Executive Board members shall be in May of every third year. The term of office shall be for three (3) years. Elections shall be no less than thirty (30) days after the final date for submission of nomination petitions.

b. Not less than fifteen days prior to the election specific notice of date, time and place or places of the elections, offices to be filled, and names of candidates shall be mailed to each union member at his last known address. Additionally, such notice may be prominently made in a regular publication to the union membership. Election may be by a slate vote but candidates may run individually. The President of this organization shall, upon election to office, be a delegate to the American Federation of Teachers and AFT Maryland.

c. No member shall use the Union Hall or any of its facilities for the purpose of electioneering.

d. Upon reasonable request of any bona fide candidate for office, the Chapter's Secretary shall arrange for the distribution of any campaign literature by mail, or otherwise provide that such candidate pays the reasonably estimated cost involved in advance. The Secretary may require that all campaign literature shall be presented to him at the principal office of the Chapter not later than seven (7) days prior to the date of the election and may, where in his judgment it appears necessary, provide for a consolidation of such distribution in which case the cost of such distribution shall be assessed upon the candidates involved on a pro rata basis.

e. The Chapter's Secretary, to the extent required by law, shall upon reasonable notice make available for inspection by any bona fide candidate the membership list of the Chapter covered by union security agreements once within thirty (30) days prior to the election date. No candidate shall be permitted by the Chapter's Secretary to copy any names or addresses of members shown on such list and such inspection must be made in the presence of the Chapter's Secretary or his designee.

f. The Chapter's Secretary shall retain copies of all requests for distribution for campaign literature and copies thereof, shall make a record of the date the literature was distributed, the cost thereof and the amount received thereof, and shall also retain a copy of the notices of nominations and of the election, a copy of the ballot, the official tally sheet submitted by the tellers, all ballots and such other records including election rules as shall relate to the conduct of the election. All copies and records shall be retained for one year.

g. Voting shall be conducted by secret ballot among the members of each Chapter in good standing. There shall be no proxy voting.

h. Elections for officers may be conducted by the Chapter's Executive Board itself, or by an impartial outside agency or person or persons selected by the Chapter's Executive Board, at the discretion of said Board.

i. Each candidate shall receive from the Chapter's Secretary an accounting of the votes for his office as soon as the results are known.

j. The candidate for each office who receives a plurality of the votes cast for the office shall be elected thereto. Newly elected officers take office immediately.

k. If any nominee should die before the election, his name shall nevertheless appear on the ballot. In the event such name shall receive the requisite number of votes to be elected, the office shall then be filled in the same manner as vacancies are filled when they occur during a term of office as provided in this Constitution.

l. Each candidate, at his own expense, shall have the right to have an observer, other than himself, at each polling place and at the counting of the ballots who must be a member in good standing of the Chapter.

m. There shall be no write-in candidates and any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned and such ballot for that office shall not be considered as having been cast in determining the vote for that office.

n. The Chapters' Executive Boards, sitting jointly, shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of this Constitution, including the authority to use mail referendum balloting or absentee balloting, without membership approval provided. **BTU will provide for a mail in ballot option on request as well as multiple in person voting locations.** ~~however, that if the election is to held without a mail ballot, there shall either be one (1) central location for the balloting or the balloting shall be conducted at each of the Regional Offices of the Baltimore City Public School System. In the event that the school system will not allow the use of said offices, the Chapters' Executive Boards, sitting jointly, will designate a central location in each region. Absentee voting by mail shall be permitted only upon application of members who are ill, or absent from work because on vacation or on employment tour of duty. The Chapters' Executive Boards, sitting jointly, may permit additional reasons for absentee ballots if they so desire. Application~~ **Requests** ~~for absentee ballots~~ **mail in ballots** shall be made to the Chapter's Secretary not less than ten (10) days prior to the date set for the election and shall contain the grounds therefore. ~~Absentee ballots~~ **Mail in ballots** shall be valid only if they are received by noon of the day on which the polls close. ~~Absentee voting~~ **Mail in voting** shall be conducted with all proper safeguards for the secrecy of the ballot.

o. In the event there shall be any protest or charge by any member concerning the conduct of the election after the election has been held, such protest or charge shall be made in writing by registered or certified mail by such member within forty-eight (48) hours after the final tally of the ballots, setting forth the exact nature and specification of the protest and his claim as to how it has affected the outcome of the election. Such protest or charges shall be made to the Chapter's Secretary who shall refer the protest or charges for disposition to the Agency, person or persons selected to conduct the election, or to the Chapter's Executive Board if no outside agency or person has been selected to conduct the election. In the event of a tie, the candidates shall resolve such tie by lot. No runoff election shall be held.