

Article 7. ELECTION OF MEMBERS TO THE BOARD OF TRUSTEES

Section 1. Board member elections

The Chicago Teachers' Pension Fund (CTPF) Board member elections shall be conducted in accordance with the Illinois Pension Code (40 ILCS 5/17 139), this Article and the accompanying Election Policies and Procedures Handbook (Election Handbook).

Section 2. Categories of Elections

Separate elections are conducted for each category of trustee:

- 1) Teacher Trustees
- 2) Principal Trustee
- 3) Pensioner Trustees

Section 3. Election Procedures

The Teacher Trustee election shall be conducted by a Canvassing Board comprised of acting contributors who are not principals or administrators, an independent, neutral service provider (Election agent) retained by the CTPF Board of Trustees (Board), and / or CTPF staff. The election shall be conducted in the most cost effective and secure manner possible for the purpose of obtaining certified election results. The Executive Director shall appoint an Election Coordinator who shall be responsible for coordinating the efforts of the Canvassing Board, Election Agent, and CTPF staff. The number and location of polling places for the election, the manner of balloting and the Election Agent shall be determined by the Board of Trustees.

The Canvassing Board shall be chosen from active contributors, who are not principals or administrators, and have either been (1) elected as pension representatives or judges of election by their respective faculty or staff (2) Appointed by the Executive Director or (3) a combination of (1) and (2). The Canvassing Board shall be responsible for receiving the report of certified candidates, witnessing the tallying of the ballots and receiving the report of the official results.

The method of balloting for the Principal / Administrators election and the Pensioner election shall be by mail ballot, internet or phone as permitted by law and shall be conducted by an independent, neutral election agent in the most cost effective and secure manner possible.

Section 4. Policies and Procedures

Specific procedures and policies for conducting Board member elections are contained in the CTPF Election Policies and Procedures Handbook.

Citation: 40 ILCS 5/17 139

CHICAGO TEACHERS' PENSION FUND ELECTION POLICIES AND PROCEDURES

Section 1. Date of Elections

1. The Teacher Trustee Election shall take place on Friday of the fourth week in October.
2. The Principal Trustee Election shall take place in the first week of November every three years. This election was first conducted in November of 1995.
3. The Pensioner Trustee Election shall take place in the first week of November in odd numbered years.

Section 2. Terms of Office

1. Teacher Trustees serve a three year term. Each year two seats come up for election.
2. The Principal Trustee serves a three year term.
3. The Pensioner Trustees serve two year terms that run concurrently.

Section 3. Eligibility Criteria for Candidates

1. Candidates for Teacher Trustee must hold an Illinois state teaching certificate and must be employed in the Chicago Public Schools or charter schools a minimum of 10 years.
2. Candidates for Principal Trustee must be *(i) employed in a position that requires him or her to hold a Type 75 Certificate issued by the State Teacher Certification Board, (ii) is not on the Chicago teachers' or the Chicago charter school teachers; salary schedule, or (iii) is paid on an administrative payroll.*
3. Candidates for Pensioner Trustee must be a service, reciprocal or disability pensioner receiving monthly pension payments from CTPF.

Section 4. Notice of Election

The CTPF Notice of Election shall contain the date of each election, eligibility criteria for candidates and voters, information on how to obtain a candidate nomination packet, instructions on the nomination process, election guidelines, and the schedule of election events. The Election Coordinator shall distribute the Notice of Election to each eligible voter no later than May 31 in each calendar year.

Section 5. Nomination of Candidates

The Election Coordinator shall distribute candidate nomination packets to members who request a packet. The nomination packet consists of a copy of the Notice of Election, pre-printed petition form, a candidate statement form, a copy of the Bylaws, and a copy of the Election Policies and Procedures. Members seeking nomination shall qualify if they meet the eligibility criteria specified in Section 3. Eligibility Criteria. Prior to issuing nominating petitions, eligibility shall be verified from the contribution records on file with CTPF.

CTPF shall provide the official petition forms with the pre printed name of the candidate seeking nominations and the specific Board member position for which s/he seeks nomination. A candidate may circulate a petition for more than one position; however an individual shall not be permitted to submit a petition for more than one Board member position during any particular election. No petition shall be circulated without the name of the candidate and the specific

position sought appearing on the petition form. Members may sign more than one petition form, but may only sign the petitions of those candidates in the same category as the member.

The minimum number of petition signatures required for each election is as follows:

1. Teacher Trustee candidates must receive 200 or more legible nomination signatures with complete identifying information from active contributors who would be eligible to vote in the election being conducted had the election occurred at the time the members sign the petition.
2. Principal Trustee candidates must receive 25 or more legible nomination signatures with complete identifying information from active contributors who *are (i) employed in a position that requires him or her to hold a Type 75 Certificate issued by the State Teacher Certification Board, (ii) is not on the Chicago teachers' or the Chicago charter school teachers salary schedule, or (iii) is paid on an administrative payroll* and who would be eligible to vote in the election being conducted had the election occurred at the time the members sign the petition.
3. Pensioner Trustee candidates must receive 100 or more legible nomination signatures with complete identifying information from CTPF pensioners who would be able to vote in the election being conducted had the elections occurred at the time the pensioners sign the petition.

The signed nomination petitions and the candidate statements (provided for below) shall be submitted to the Election Coordinator no later than October 1st, 5:00 p.m. in the Election year or by 5:00 p.m. on the Friday preceding October 1st if that day falls on a Saturday or Sunday. Only those petition forms and candidates' statements received by the deadline shall be accepted.

The Election Agent with the assistance of the Election Coordinator shall verify the identity and eligibility of individuals who signed a candidate's nomination petitions, and shall certify qualified candidates for the Board member election. The report of certified candidates shall be submitted to the Canvassing Board. The Canvassing Board shall determine by lot the position of candidate names and statements in election materials distributed to voters. The Canvassing Board shall authorize the Election Coordinator to notify the candidates who have been certified.

The Election Coordinator shall notify qualified candidates of their certification, and the position of their names and statements in election materials. After distributing notification letters to the certified candidates, the Election Coordinator shall make public the names of the qualified candidates for the Board member election.

When only one candidate has been nominated, the Canvassing Board shall, upon verification of the signatures presented in the nominating petition and upon the candidate's acceptance of his or her nomination, cancel the remaining election procedures and designate the single candidate as elected.

Section 6. Candidate Statements

Each candidate's statement shall contain the information listed below and shall be submitted in electronic form and emailed to the Election Coordinator or typed, double spaced and submitted along with the completed nominating petitions. The candidate statement is limited to 300 words.

- 1) Name
- 2) Recent color photo (optional) – Head shot with a plain background is best.
- 3) Member status (i.e. teacher, principal, pensioner)
- 4) Positions held or organizational membership
- 5.) Statement of the nominee's position and understanding of the role of a trustee of the Chicago Teachers' Pension Fund.

A candidate's response shall be included so long as the answers are clearly stated as the candidate's opinion or view and the statement does not exceed the word limitation. Once filed, statements may not be changed or withdrawn. Information contained in the statement is the responsibility of the candidate and CTPF shall not be held responsible for the validity of any candidate statement or the contents thereof. The Election Coordinator shall review the candidate statements and distribute to each candidate in the respective contest all candidate statements, as they shall appear in election materials distributed to eligible voters.

Section 7. Voter Eligibility

1. Those eligible to vote in the Teacher Trustee election shall be active contributors, excluding principals / administrators, who are employed by or on an approved leave from the Chicago Public Schools, Charter Schools, or Chicago Teachers' Pension Fund during the Fiscal Year in which the election is conducted, who have made contributions at any time during that Fiscal Year and who remain active contributors to CTPF as of the last payroll prior to October 1st in the same Fiscal Year.
2. Those eligible to vote in the Principal Trustee election shall be active contributors who are *(i) employed in a position that requires him or her to hold a Type 75 Certificate issued by the State Teacher Certification Board, (ii) not on the Chicago teachers' or the Chicago charter school teachers; salary schedule, or (iii) paid on an administrative payroll* during the Fiscal Year in which the election is conducted, who have made contributions at any time during that Fiscal Year and who remain active contributors to CTPF as of the last payroll prior to October 1st in the same Fiscal Year.
3. Those eligible to vote for the Pensioner Trustees shall be all pensioners receiving a service, reciprocal or disability pension from CTPF as of October 1st in the same Fiscal Year in which the Election occurs.

The Fiscal Year shall be understood to be the period of July 1 from one calendar year to June 30 of the next calendar year.

Section 8. Form of Ballots

Voting shall be by secret ballot. The ballot format shall be determined in the annual plan submitted by the Trustees' Election Committee and approved by the Board of Trustees.

Names of the candidates for each election shall be rotated on the ballots so that each candidate's name appears to the extent possible at the top of the list an equal number of times.

Section 9. Ballot Distribution

The Canvassing Board through the actions of the Election Agent and Election Coordinator shall assure that every eligible voter shall receive notice of the date of the Election and instructions for the location of polling places and other options for casting a ballot, if applicable.

Absentee ballots may be cast by eligible voters. Requests for an absentee ballot must be received by the Election Agent 14 days prior to the official date of the election. Absentee ballots must be received by the official date of the election. Absentee ballots shall be held as provisional ballots, and will not be counted until the regularly submitted ballots have been tallied.

In the event that the election plan permits ballots (other than absentee ballots) to be submitted by mail, they must be postmarked by the date of the Election and received at the designated address no later than five (5) days after the official Election date to be included in the final tally. Ballots will be tallied on the sixth day after the Election and results reported on that day.

Section 10. Polling Places

The number and location of polling places shall be designated by the Board in the annual election plan.

Section 11. Ballot Counting

The Election Agent shall use reasonable procedures to ensure ballots are secured and canvassed in a manner consistent with commonly accepted election practices. The Election Agent shall canvass valid ballots by the date specified in the Notice of Election at the location designated in the annual election plan. Regardless of the method of balloting chosen by each eligible voter, the following are declared to be invalid ballots and shall not be counted in the election:

- a. Votes cast for individuals not listed as candidates on the official ballot.
- b. A ballot submitted by a person who is not an eligible voter.
- c. A duplicate ballot received from the same voter; only one ballot per voter shall be permitted.
- d. Votes cast in excess of the number allowed on the ballot.
- e. Ballots not received within the time period prescribed by the Notice of Election.

The Election Agent shall certify to the Canvassing Board the winning candidate(s) who receive the highest number of votes. In case of a tie, the winning lot shall be drawn by the Canvassing Board.

Section 12. Notice of Election Results

(a) At the completion of the public ballot canvassing, or after verification of the nominating signatures pursuant to Section 5 in which the Canvassing Board certifies only one qualified candidate in an election for a position on the Board, the Canvassing Board shall transmit the election results to the Executive Director.

(b) Following the certification of the winning candidates the Executive Director shall notify all candidates, Board members and other interested parties of the certified results. Notification to the newly elected Board member(s) shall include a copy of the Oath of Office, a copy of the Illinois Pension Code and the Rules and Bylaws of the Board, and other such materials as determined by the Board and Executive Director.

(c) The results shall be announced publicly by the Executive Director at the office of CTPF on the day that the final results are reported to CTPF by the Canvassing Board.

Section 13. Seating of Elected Trustees

The Board of Trustees, at its next regular meeting, shall enter in its proceedings the results of said election and the newly elected trustees shall subscribe to the following oath of office:

“I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Trustee of the Public School Teachers’ Pension and Retirement Fund of Chicago according to the best of my ability.”

Section 14. Retention and Destruction of Election Materials

For six months after the election, the ballots and election materials shall be carefully preserved. At or after the expiration of such six month period, the Election Coordinator shall direct that the ballots be destroyed and shall notify the Board. If proceedings are pending in any court in which such ballots or other material may be required as evidence, they shall not be destroyed until such proceedings are finally adjudicated.

Section 15. Recount of an Election

(a) A candidate in the affected Board member election may request the recount of an election only if the difference in the number of votes cast for the candidate requesting the recount and the unofficial winner is less than 3%. The candidate in the affected election must file a written request with the Executive Director for recount within three (3) business days following the certification of the election results.

(b) The written request shall specify the election to be recounted, shall be signed by the candidate requesting the recount, and shall specify any other relevant material to be examined.

(c) The Executive Director shall notify the Board of the request for a recount and shall set a date for the recount upon receipt of the written request.

(d) The Canvassing Board shall certify the results of the recount.

Section 16. Protest of an Election

(a) A valid protest must be based on evidence that the Board adopted election procedures were not substantially followed and that, such errors would have materially affected the outcome of the election.

(b) A candidate in the affected Board member election must file a written protest with the Executive Director prior to the election and under no circumstances no later than three (3) business days following the certification of the election results. The written protest shall be identified using the word “protest”, shall specify the election which the candidate is protesting, and shall state the specific grounds of the protest and provide any evidence (including witnesses) in support of its protest.

(c) Upon receipt of a valid and timely protest, the Executive Director shall mail a copy of the protest to all candidates in the election and shall notify the Board and other interested parties that a protest has been filed. The Trustees' Election Committee of the Board shall investigate the protest and determine what remedy, if any, shall be granted to the candidate filing the protest. No Board member who is a candidate in the election under protest may be a member of the committee or participate in its selection.

(d) The Committee may consider written and/or oral arguments submitted by the candidate filing the protest and any other interested party, in making its determination. If the Committee determines that a proceeding is necessary, such proceeding shall be held in the Board's meeting room and shall be open to the public. The Committee shall determine the rules, regulations and process by which this proceeding shall gather evidence. The determination of the Committee shall be rendered within 30 calendar days of its appointment.

(e) If the Committee sustains the protest, the election shall be void. If the Committee rejects the protest, then the certified results stand.

Section 17. Employment Prohibition

If an employee of the Fund is certified as a candidate for a trustee position, the employee will be placed on unpaid leave for the duration of the campaign up to and including the posting of the Notice of Results of the election. In the event the employee is elected to the Board, he or she will be required to remain on unpaid leave for the duration of the term of office as a Board member.

Section 18. Use of Fund Vendors

Except as provided in Section 19, no candidate for trustee shall be permitted to engage the services of CTPF vendors or service providers for the purpose of printing, distributing or mailing campaign materials, or to secure monetary assistance for the candidate's campaign. CTPF shall provide certified candidates with a list of CTPF vendors and service providers.

Section 19. Request for Member mailing lists

At the request of the candidate or a sponsoring organization CTPF shall designate the mailing service to which it will provide a list of member names and addresses for the purpose of sending out candidate campaign material. The party requesting the list (i.e. sponsoring organization or candidate) and the mailing service designated by CTPF shall sign an Agreement of Confidentiality agreeing to the use of the list for the sole purpose of sending campaign materials. When the sponsoring organization or candidate requests the use of the mailing service, the service will bill CTPF and the sponsoring organization or candidate shall pay the invoice to CTPF before the mailing is processed for distributions..

Candidates for Teacher Trustee are not permitted to use the Board of Education mail run system for distribution of campaign materials.