

NEGOTIATING ORGANIZATIONS

Eligibility for inclusion in the teachers' negotiating unit is and shall be limited to all properly certificated or authorized licensed staff who are under contract with Colorado Springs School District 11 (the District) and from whom remuneration is determined by the teachers' salary schedule.

Petition forms to be circulated and used in filing a request for a representative election shall be prepared by the Secretary of the Colorado Springs School District 11 Board of Education (the Board) and made available to employees of the District during regular business hours.

The form of the petition shall be such as to indicate that those who sign are certifying that they have read this policy, that they request the Board to call a representative election pursuant to provisions set forth in this policy, and that to the best of their knowledge they are District employees who would be eligible for inclusion in the negotiation unit. A copy of this policy shall be attached to all petition forms.

As soon as practical following the receipt of such petition by the secretary of the Board bearing the valid signatures of at least 30 percent of the District employees who would be eligible for inclusion in the negotiating unit, the Board shall cause notice to be posted for a period of seven days in each school. Such notice shall include the following:

1. The date of posting of the notice.
2. A statement to the effect that a petition has been duly filed with the Board requesting that a representative election be held and that such request has been entered into the minutes of the Board.
3. A statement to the effect that a representative election shall be held on a specified date to determine which organization if any should be named the exclusive representative of the instructional employees of the District pursuant to provisions of this policy.
4. A statement setting forth the procedure to be followed in placing the name of the qualified organization on the ballot.

The name of any organization limiting its membership to District employees shall be placed on the ballot for the representative election if the following are filed with the secretary of the Board at last 10 days prior to the date set for the election:

1. A copy of the constitution and by-laws of the organization.
2. A statement naming the officers of the organization and giving the dates on which the terms of office for the named officers shall expire.
3. A statement signed by the officers of the organization certifying that the named officers have been duly authorized to represent the membership in seeking to establish a negotiated agreement with the Board and further certifying that the organization shall honor any financial commitments which may from time to time be created pursuant to provisions set forth in this policy.

The Board shall call a representative election not less than 21 days nor more than 45 days following the date on the notice as set forth above.

The form of the ballot and the procedures governing the conduct of the election and the canvassing of ballots shall be established by the Board in consultation with the officers of the organizations listed on the ballot.

Voting in the election shall be limited to persons eligible for inclusion in the negotiating unit as set forth in this policy. The choices to be listed on the ballot shall include "no organization" and the name of each organization which has been duly nominated for designation as the exclusive representative pursuant to provisions of this policy.

Upon the canvassing of the ballots, the choice receiving a simple majority of the total number of votes cast in the election shall be declared the designated choice of organization representation for a period extending one year beyond the next following first day of January after the election. However if less than 50 percent of the eligible voters vote in a representative election, the choice of "no organization" shall be declared the designated choice or organization representative for the above-named period of time.

If more than two choices appear on the ballot and no choice receives a simple majority of the total number of votes cast, a run-off election shall be held within 15 days. The choices appearing on the ballot at such election shall be the two choices receiving the greater number of votes in the first election.

All costs relating to the conducting of first-time representative elections shall be shared equally by the Board and the organizations whose names appear on the ballot. In the event an organization's exclusive representative rights are challenged by another organization, the costs of a representative election shall be paid by the losing organization.

Within 10 days following the date of the representative election or run-off election, the Board shall meet for the purpose of officially canvassing the ballots. Upon determining that an organization has been elected to be recognized as the exclusive representative of all personnel eligible for inclusion in the negotiating unit, the Board shall adopt a resolution so recognizing that organization for the period, purposes and in accordance with the provisions set forth in this policy.

No less than 90 days prior to the date for terminating such recognition pursuant to provisions of this policy, the Board shall adopt such policies as may be deemed appropriate pertaining to the continued recognition of an organization as the exclusive representative of an employee group.

Adopted September 1972
Revised to conform with practice date of manual adoption
Reviewed February 10, 2016
Reviewed April 15, 2019

CONTRACT REFS.: Colorado Springs Education Association Master Agreement