

# CHICANO LATINO CAUCUS BYLAWS

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## *Mission Statement*

The Chicano Latino Caucus [hereinafter ""CLC"" or ""the Caucus""] of the California Democratic Party [hereinafter ""CDP"" ] seeks to raise political and civic consciousness by electing Chicanos and Latinos to all levels of government. The CLC will accomplish this by increasing political participation of individuals in all activities of the CDP, in particular, expanding Chicano Latino representation in voter registration, candidate training, activist training, voter education, legislative tracking, outreach to Assembly Districts, County Central Committees, Democratic Clubs, community and civic organizations.

## Article I---- Policy and Goals

### Section 1

It is the policy of this Caucus, in the execution of all endeavors, to contribute to the growth and influence of the CDP, establish and maintain an inclusive Chicano Latino presence in the party and to support the party candidates for Democratic leadership throughout the state and nation.

### Section 2

The Caucus will conduct training to educate and train interested members and Democrats to participate in candidate and activist training, voter registration, outreach, political education, legislative training, research and participation. Student members will be a priority in all trainings and educational opportunities of the Chicano Latino Caucus.

## Article II ----Name

The name of this organization shall be the California Democratic Party Chicano Latino Caucus.

## Article III---- Purpose

### Section 1

It will be the purpose of this caucus to promote and encourage full participation of Chicano Latino Democrats in the CDP and its affairs at all levels. Further, to initiate and support and advocate for party policies and issues which reflects the interest and welfare of the Chicano Latino community and to act as

the vehicle for the implementation of these policies in the Chicano Latino community and to give guidance and/or advice regarding the Latino communities" concerns to the Democratic Party structure.

## Section 2

This shall include, but not be limited to, participation in the Delegate and Democratic candidates; taking appropriate public stands on issues relevant to our communities; and posing, supporting, and when necessary, opposing legislation relevant to the community.

The Caucus shall establish and implement a division of the Caucus as the Chicano Latino Caucus Young Adults which will serve as a presence for future Caucus leadership. The CLCYA will be established with students from within the Caucus Vice Chair's regional areas. No dues will be established for student membership participation. The Young Adults Division (YAD) Vice Chair shall be elected by CLC members between the ages of 14 and 35 at the biannual CLC Convention and shall serve as a voting member of the CLC Executive Board. The YAD Vice Chair shall have the powers, duties, and stature of a vice chair of the CLC and shall strive to involve youth in the CLC and the Democratic Party. The YAD Vice Chair shall build collegial, friendly, supportive, cooperative, and respectful relationships with other Democratic Party youth groups.

## **Article IV----- Membership**

### Section 1

- a. General Membership----- A voting member is a Chicano Latino Caucus member who has paid their dues, is a registered Democrat or is ineligible to vote (due to non-residency, or other legal impediment), but pledges to register as a Democrat when eligibility is attained; and

supports and adheres to the platform and Bylaws of the CDP and agrees to follow the Bylaws of this Caucus. Annual Caucus membership dues shall be \$25 per calendar year from January 1 to December 31. Foreign nationals without a green card may join the caucus and engage in volunteer activities but may not pay dues. Dues renewals are due beginning January 1 of each calendar year and at the annual convention of the Democratic party. Dues shall not be prorated.

- b. Dues will be \$10 for students with proper school ID
- c. A waiver of all dues will be provided in cases of economic hardship.
- d. A \$250.00 life time membership dues is available.
- e. A \$500 sponsor annual membership fee is also available.

Section 2 A member is in good standing when his/her application has been accepted and the dues have been paid. If the applicant pays dues by check, and if the check is returned by the banking institution, such that subsequently funds are not able to be credited to the Caucus bank account, the member shall not be entitled to the privileges of membership until the dues are paid by money order or cashier check, in addition a fee of \$15 must be included in the dues payment.

Section 3: Applications for membership shall be on a form adopted by the Chicano Latino Executive Board that provides the essential information necessary to the functioning of the Caucus. The membership form shall be available by internet. The membership application shall request that the Applicant consent to notice by e mail.

Section 4. Candidates for office who wish to speak to the Caucus may pay a \$50.00 honorary membership fee. Honorary members are nonvoting.

### **Article V---- Meetings**

Section 1: There shall be at least three (3) meetings of the general membership held prior to or in conjunction with the quarterly meetings of the Executive Board of the CDP.

Section 2: Special and emergency meetings may be called by the Caucus Chair; a majority of the Caucus Executive Committee, or by petition of a majority of those members in good standing. Petitions must consist of at least ten (10%) percent of the total membership and must be addressed to the Chair and Executive Board of the Caucus.

Section 3: Only E----board members can vote upon motions and make motions at Executive Committee meetings, but the general membership may participate in the discussion.

Section 4: Notice of the date, and locations of all meetings shall be sent at least seven (7) days email notice, or seven (7) days written notice by first class mail, or five (5) days personal notice, actually received and acknowledged, or seven (7) days posting by posting on the Caucus website\_prior to the date of meeting.\_ Notice of said meeting can be through electronic mail, postal mail, or facsimile. Notice is not required for (1) Executive Committee telephonic meetings set by these Bylaws for the first Sunday of each month and (2) Executive Committee Meetings for which all members have waived notice in writing, and (3) for postponed regular monthly Executive Board Meetings. A proposed meeting agenda set by the Chair shall be included with the Notice of meeting. Pursuant to CDP General Policies, XIII five days notice is not

required in emergency situations, in which case additional means of notice such as the telephone, hand delivery, or other similar means should be provided for and employed to the maximum extent practicable.

Section 5: Email Notice: Publication of any notice provided for by these bylaws, may be given by means of e---mail provided that:

- a. Members of this Caucus who have email may receive notice via email in a manner consistent with the CDP Bylaws for the use of email within the Democratic Organizations, including but not limited to, the requirements of the member to consent to notice via email, must have consented, in writing or through email to receive Chicano Latino Caucus notice in this manner.
- b. Members of this Caucus have been advised of their obligation to inform the Secretary of any change in their e---mail address, by these bylaws;
- c. Any such notice is denominated ""Official CLC Notice"" in the subject line. Members of this Caucus are given the option in writing or email of maintaining the confidentiality of their email address, or making same public.

Section 6. For matters that can be agreed to by unanimous consensus, the Executive Committee may make decisions through email communications among the members of the Executive Committee through the following procedures:

- a. If a member of the Executive Committee has an issue that he/she wishes to present as a motion for consideration via email, he/she shall communicate it to the Corresponding Secretary.
- b. The Corresponding Secretary shall email the proposed motion to all members of the Executive Committee. Each member of the Executive Committee shall acknowledge receipt by email, and may second the motion if he/she desires.

Failure to receive acknowledgement of receipt from all members of the Executive Committee shall prevent the motion from being handled via email.

- c. If the motion is seconded, the Secretary shall announce the opening of discussion. Members of the Executive Committee may send emails to all other members of the Executive Committee to express points of view.
- d. When he/she deems it appropriate, the Chair shall declare the discussion period closed and call for an email vote. If the vote is unanimous in favor or against, the motion is approved or rejected, as the case may be. If the vote is not unanimous, the motion must be discussed at the next Board meeting, and no action shall be taken on it until then.
- e. At any time during the email discussion period, if any member of the Executive Committee communicates to the other members of the Executive Committee that he/she feels that the issue should be aired at a Board meeting, the formal email discussion period shall end, and the issue shall be calendared for the next Board meeting, with no action to be taken on it until then. Directors shall remain free to exchange points of view on the issue by email, however.

Section 8: Five (5%) percent or twenty five members of the membership in good standing whichever is less and at least five (5) members of the Executive Committee shall constitute a quorum for conducting the business of the caucus at any meeting of the general membership. Except to the extent modified by these Bylaws or CDP Bylaws, the Caucus shall use Roberts Rules of Order in the conduct of Caucus meetings.

### **Article VI---- Organization**

This Caucus is in accordance with the by---laws of the California State Central Committee of the CDP. The Caucus shall have the following organizational structures:

## Section 1: Executive Committee

(a). The Executive Committee of the Chicano Latino Caucus will be comprised of the Chairperson, Vice Chairpersons, Recording Secretary, Treasurer, Parliamentarian, Corresponding Secretary, the Chair of all Standing Committees, Administrative Coordinators, Sergeant of Arms, and Senior Advisors. The Executive Committee shall exercise all powers on behalf of the Caucus. The Executive Committee shall have primary responsibility for the decision making of the Caucus. The Executive Committee must pre-approve all expenditures above ~~\$100~~ \$250, all Caucus budgets, all endorsements in which the name of the caucus is used, all Caucus meeting agendas, all Caucus sponsorship of events, all selections of persons or entities to be honored or given awards at any Caucus meetings, all speakers at Caucus meetings, all material policy decisions of the Caucus, and all press releases of the Caucus.

(b) The Executive Committee shall meet on the first Sunday of each month at 3 pm or at any other date and time to which the Executive Committee shall change said monthly meeting; Executive committee members may attend the meeting in person or by conference call or by video conference or by proxy.

(c ) The Executive Committee shall interview all candidates to fill vacancies for all positions on the Executive Committee, and may reject any candidate, and select another person nominated by any officer position by a member of the Executive Committee.



(d) In the event of the resignation or the removal of the Chair, the Executive Committee is mandated to meet within two (2) weeks and select a successor. Such meeting may be accomplished by a conference call or in person. For such a meeting, a quorum shall consist of five (5) of the remaining members of the Executive Board.

(e) The Executive Committee shall create a Statement of Goals that sets forth the activities and objectives of the Caucus for that year. This document will be prepared by the incoming Directors during the 60 days following the election of officers. Copies of the document will be available to the General Membership on the Caucus web site or through the Corresponding Secretary.

Section 2: The Caucus shall be composed of all members in good standing. It shall receive and decide all recommendations from the Standing and Special Committees, in addition to the Executive Committee.

Section 3: There shall be the following Standing Committees:

- (a) Voter Registration Committee
- (b) Resolutions Committee
- (c) Latina Advisory Committee
- (d) Appointments Committee
- (e) Membership and Events Committee

Section 4: The Chairperson of each Standing Committee shall be appointed by the Chair of the Caucus with the concurrence of the Caucus Executive Committee. Chairpersons of Standing Committees are ~~non-voting~~, voting ex officio members of the Executive Committee. Members of the Executive Committee may volunteer to be members of any Standing Committee.

## **Article VII---- Officers and Members of the Executive Committee**

Candidates for Chicano Latino Caucus Officer positions must be members in good standing of the Caucus. All candidates for officer positions must be voting members of the Caucus for at least 30 days prior to the election, as reflected in the current membership list. Candidates for the Caucus chair must be a member of the Democratic State Central Committee for at least 30 days prior to the election. Officers shall serve without compensation. The term of office for all Officers will be two years. Except as provided herein, the Chair shall not appoint any other officers or Executive Committee members.

### Section 1: Chair.

The term of the office of Chairperson shall be set at two (2) years. The Chairperson shall be the representative of the Caucus on the CDP Executive Board. The Chair must either participate in voting at the CDP Executive Board or the Chair must appoint an officer to serve as the representative of the Caucus on the CDP Executive Board. The Chairperson shall be the spokesperson for the Caucus. The Chairperson shall preside over all general meetings of the Caucus. The Chairperson shall serve as an Ex---- officio member of all committees, with the power to vote in the event of a tie vote, and shall appoint Committee Chairpersons and Ex--- -officio members to the Executive Committee who must both be confirmed by the Executive Committee. The Chairperson must observe democratic principles of transparency and Executive Committee participation. The Chairperson must recognize that all votes on the Executive Committee are entitled to equal weight. The Chairperson may not operate the Executive Committee without the participation of the Executive Board. The Chair of the Caucus must be a member of the Democratic Party State Cenfral Committee (a delegate to the Democratic Party State Convention) listed on the

DSCC roster of delegates. The Chair shall serve as Editor of a newsletter to be published online at least once per quarter.

## Section 2: Vice---Chairpersons

There will be twelve Vice Chairpersons for the following regions:

1) Northern---Bay Area

San Francisco --- Alameda---- Del Norte ---Humboldt---Mendocino---Lake---Sonoma---  
- ---Contra Costa---Marin

2) Northern---Sacramento Area

Siskiyou---Modoc---Shasta---Lassen---Tehama---Plumas---Butte---Glenn---Colusa---  
Sierra---Sutter---Nevada---Placer---El Dorado---Alpine---Sacramento--- Yolo - Napa-  
---Solano

3) Central Coast Region

Monterey---Santa Cruz---San Benito---San Luis Obispo

4) Central Valley

Mariposa---Mono---San Joaquin---Stanislaus---Merced, Calaveras, Tuolumne,  
Mariposa

5) Santa Barbara/Ventura

6) Los Angeles East

Los Angeles West

7) Orange County

8) Inland Empire---San Bernardino County

9) Inland Empire---Riverside/Imperial Valley

10) San Diego

11) Fresno/Bakersfield—Tulare County, Kern, Kings, Fresno, Madera, Inyo, Fresno

12) South Bay- Santa Clara, San Mateo

The Regional Vice---Chairs shall exercise the responsibilities of the Chairperson in his/her areas, and upon request of the Chairperson, act in his/her behalf in chairing general

meetings in their regions. Only those members living in the region shall vote for the Vice---Chair of that region.

13) There will be one Vice Chair for the CLC Young Adults Division.

14) There shall be a Vice Chair for Chicano and Latino Studies who must be a current faculty member of Chicano or Latino studies in a California college or university. Only those members who are higher education faculty or retired higher education faculty shall vote for the Vice Chair for Chicano or Latino Studies.

15) There shall be a Vice Chair for the Chair of the Chicano Latino Caucus of California Young Democrats who shall serve Ex Officio and enjoy full voting privileges.

16) There shall be two Vice Chair for Migrantes, one for the Region North of Fresno and the other for the Region South of Fresno. Persons elected to those positions are recognized. Only immigrants may vote for this position. Vice Chairs for various Central and South American populations shall be discussed for future board expansion when and if the CLC Board is ready to do so.

### Section 3: Recording Secretary

The recording secretary shall serve a term of two (2) years. The recording secretary shall attend and take minutes at all general meetings, online meetings, teleconference meetings and any executive meeting duly called. In addition, the recording secretary shall be responsible for the distribution of the minutes. The Chair may not usurp the authority of the Recording Secretary by requiring the Recording Secretary to submit the minutes to the Chair for censorship or prior approval before presentation to the Executive Committee. The minutes shall not be censored. The minutes shall be presented to the Executive Committee which shall approve or amend the minutes by a majority vote of the Executive Committee. The Chair may prepare the minutes when the Recording Secretary or the Corresponding Secretary does not do so.

#### Section 4: Corresponding Secretary

The Corresponding Secretary will issue all required notices of the CLC Caucus, and prepare the official correspondence of the Caucus. The Corresponding Secretary shall obtain a current membership list from the treasurer. The Corresponding Secretary shall be responsible for taking minutes if the Recording Secretary is not present. The Corresponding Secretary shall serve a term of two (2) years. The Chair may not usurp the authority of the Corresponding Secretary by appointing or directing anyone else to perform the duties of the Corresponding Secretary. The Corresponding Secretary may appoint or request a person to assist the Corresponding Secretary. The person appointed to assist the Corresponding Secretary, if any, shall have the title of Assistant Corresponding Secretary but shall not be an ex officio member of the Executive Committee.

#### Section 5: Treasurer

The Treasurer shall serve a term of two (2) years. Both the Treasurer and the Caucus shall account for all Caucus funds, process Caucus funds according to the rules promulgated by the CDP Finance Committee, follow appropriate bookkeeping procedures, formulate quarterly financial reports to the Caucus Chair and Executive Committee and the Finance Committee, and yearly reports to the general membership. The Treasurer shall also be responsible for developing a yearly budget at the request of the Party Treasurer Controller and to confer with the Caucus Chair and Executive Committee in its preparation. The Treasurer shall in case of a returned check, contact the maker of the check and allow 10 days for funds to be paid in a money order or cashier check. In addition, the maker must include a \$15 NSF fee imposed by the CDP. The Treasurer shall promptly submit all invoices to the CDP Financial office for payment on a designated form issued by the CDP and must include the signature of the Caucus Chair. The Treasurer and the Caucus can neither raise nor disburse funds other than nominal dues, and disburse only standard or routine costs of regular meetings (such as postage, and other costs associated

with notice, as well as the cost of meeting rooms), which shall be promptly accounted for, reflected in a quarterly financial report to the Treasurer of This Committee and processed according to rules promulgated by the Finance Committee. The Treasurer will take custody of all funds raised or received by the Caucus after having the same entered into the records by the Recording Secretary.) (The Treasures reports must include a description of all expenditures. Expenditures exceeding \$200 require the preapproval of the Executive Committee. Within ten (10) days of each regular meeting, the Treasurer shall cause a list of the membership in good standing to be sent to the Caucus Chair, the Corresponding Secretary, and the Election Committee Chair. Each Regional Vice Chair shall receive a copy of the membership list for their region. The Treasurer shall work with the CDP staff to keep the record of online dues payment, and is responsible for keeping a full membership list of current caucus voting members including those who have paid and those whose dues were waived. The effective date of membership on caucus records shall be the date that a member submits a membership application that is approved.

#### Section 6: Administrative Coordinators

The Chair may also appoint one or two Administrative Coordinators of the Caucus who must be confirmed by the Executive Committee in the manner described in Article VI , section 1. Administrative Coordinators shall assist the Chair and the Executive Committee in implementing the policy of the Caucus as set by the Executive Committee. Administrative Coordinators terms shall be for two years, but may be appointed to consecutive terms without limitation. Administrative Coordinators shall not usurp the power of the Chair or the Executive Committee. Administrative Coordinators are non-voting ex officio members of the Executive Committee. Administrative Coordinators may participate in all phases of the Executive Committee actions, including making and seconding motions.

#### Section 7. Senior Advisors.

The Chair may also appoint one or two Senior Advisors to the Caucus who must be confirmed by the Executive Committee in the manner described in Article VI , section 1. Senior Advisors shall assist the Chair and the Executive Committee with their knowledge and experience in making the policy of theCaucus to be set by the Executive Committee. Senior Advisors terms shall be for two years, Senior Advisors shall not usurp the power of the Chair or the Executive Committee. Senior Advisors are non----voting ex officio members of the Executive Committee. Senior Advisers may participate in all phases of the Executive Committee actions, including making and seconding motions, except that Senior Advisers do not vote.

Section 8: The Office of the Parliamentarian will be filled by appointment of the Chairperson and confirmed by the Executive Committee in the manner described in Article VI , section 1. The Parliamentarian will respond to all inquires made to him/her by the Chairperson concerning the interpretation of the by----laws of the Caucus and Roberts" Rules of Order. The interpretation and ruling of the Parliamentarian on the By----Laws or Roberts" Rule of Orders during any meeting shall be binding upon the Chairperson and all members at which such interpretation or ruling is made. Any appeal must be made to two thirds of a quorum of the Executive Committee, the Chairperson of the Central Committee of the CDP or the Chairperson of the Rules Committee of the State Central Committee of the California Democratic Party. The Parliamentarian shall be a ~~nonvoting~~ voting ex officio members of the Executive Committee.

Section 9 Sergeant at Arms. The Sergeant at Arms will be appointed by the Chairperson and confirmed by the Executive Committee in the manner described in Article VI , section 1. The Sergeant at Arms shall maintain order. the Sergeant at Arms shall be an ex officio, voting member of the Executive Committee.

Section 10. Latino Democratic Clubs. The CLC Chair may award banners to a Latino Democratic Club in recognition of outstanding participation of a Latino Democratic Club in CLC remote phone banking efforts or CLC high school voter registration efforts. Latino Democratic Clubs that are eligible for banners are as follows: Sacramento Latino Democratic Club, Placer County Latino Democratic Club, Los Angeles County Latino Democratic Club, Dolores Huerta Northern California Latino Democratic Club, San Francisco Latino Democratic Club, Santa Rosa Latino Democratic Club, and Orange County Latino Democratic Club. Any Latino Democratic Club that receives a banner from the CLC is entitled to display that banner at any CLC meeting. Any Latino Democratic Club that receives a banner from the CLC may appoint a representative to the Chicano Latino Caucus who shall be a voting member of the Chicano Latino Caucus Executive Committee for one year. All appointments to the Executive Committee are subject to Executive Committee interview confirmation or rejection. Banners may be successively awarded to a Latino Democratic Club. Successive banner awards shall be placed on the original banner with the small symbol of a black huelga eagle bearing the date of the subsequent award.

Section 11: Caucus Officer Accountability/Removal The first absence of a Caucus officer from a quarterly meeting without a valid excuse may subject that officer to removal by a majority vote of the members in good standing in attendance during quarterly meetings. Three (3) consecutive absences from quarterly or Executive Committee Meetings without ~~an excuse~~ an excused absence shall result in automatic removal. Any officer may also be removed for cause by the Executive Committee for failing to perform the duties of the office. Such removal shall be effective immediately. Improper misconduct and dereliction of duties which may cause intention to discredit or embarrass the officers and membership of the Caucus will be deemed good cause for removal from office. At the next regular meeting of the general membership, the reason for the removal shall be stated and a motion to confirm the removal shall be presented to the general membership. The vote of the general membership shall be the final decision on removal of an officer.



## Section 12: Officer Vacancy

Vacancies on the Executive Committee shall be filled by appointment by the Chair and confirmed by the Executive Committee in the manner described in Article VI , section 1. All appointments the Chair makes to vacancies on the CLC Executive Committee expire on June 30 and December 31 of each year, whichever comes first. At his sole discretion, the Chair may reappoint persons whose appointments expire. The Executive Board must confirm all re-appointments.

## Section 13: Executive Committee Meeting Quorum

A quorum of the Caucus Executive Committee members shall consist of five members of the Executive Committee.

## **Article VIII-- Elections**

The election of officers shall occur every two (2) years during the CDP's Biennial Election Convention. If the elections are to be held at a time and place different from the Biennial Convention, the site and date must be approved by at least two---thirds (2/3) of those present and voting at the last general membership meeting held before the meeting for the election of officers.

## Section 1: Election Procedures/Rules

At the last Caucus general membership meeting held in conjunction with the State Executive Board meeting, prior to the Biennial Election Convention, the CLC Chair person shall appoint an Elections Committee with the confirmation of the Executive Committee. This Committee is made up of a Chair and a maximum of four (4) members and will be responsible for the running of the election. The Chair of the Elections Committee shall be responsible for obtaining the current Caucus membership list from the Treasurer of the Caucus. No members of this Committee may

be a candidate for any office in the Caucus. The Elections Committee shall establish the rules for the election including the nomination and method of selection of candidates and voting. The Election Committee is tasked with responsibility to resolve disputes concerning election procedures, voter eligibility, ballot counting or provisional ballots, as set forth in these Bylaws. Such disputes must be filed with the Elections Committee within five days of the election. Appeals of any and all election issues including jurisdictional issues shall be shall be filed within five days of the election to the Elections Committee whose decision is final to the Chicano Latino Caucus as a first step. Decisions of the Elections Committee are appealable to the CLC Executive Board within five days of the dispute resolution for final CLC decision. Members of the CLC Executive Board with a conflict of interest must recuse themselves from considering an appeal. The Elections Committee shall provide for full and timely publication of any selection procedures and qualification, including officer election procedures at least 30 days before the election. The Elections Committee shall adhere to all mandatory requirements of Appendix A to Guidelines for Certification for Re-Certification and Decertification of Caucuses as promulgated by the Rules Committee There will be equal treatment, for purposes of voting or seeking office in as Caucus officer. The fact that a membership applicant has sought a dues waiver cannot affect the right to vote.

Section 2: Any person wishing to have a vote in the Caucus election must have submitted their membership application and paid their dues for the term for which the officers are running or be in line to do so, no later than the commencement of the meeting at which the elections will take place being called to order. Members must vote by a visible proof of membership. Membership dues may be waived based on economic hardship or legal limitations on campaign contributions in a manner that guarantees membership on an equal and nondiscriminatory basis. A person may submit a membership application and an economic hardship dues waiver application at the same time on the day of the election in the same manner and form

as dues paying applications. The fact that a membership applicant has sought a dues waiver cannot affect the right to vote. The Elections Committee shall appoint member(s) to review economic hardship dues waiver applications at the Election Meeting with the intent of approving all dues waiver applications with economic hardship, but disapproving applications of persons who do not truly have an economic hardship. Proof of economic hardship shall not be a requirement of granting a dues waiver. To prevent abuse of dues waivers, the CLC will rely on educating persons to the fact that the CLC is totally dependent on dues to function, and to the fact that CDP rules bar the CLC from soliciting funds other than dues. The CLC may require economic hardship dues waiver application forms to be signed under penalty of perjury. Economic hardship means inability to pay dues or other reasonable, objective reason causing hardship. The Elections Committee shall issue provisional ballots to hardship applicants who are reviewed, interviewed, and determined not to have a hardship. Provisional ballot issues are to be resolved in all cases, immediately after the election by the Elections Committee. Provisional ballot determinations are appealable to the CLC Executive Committee in writing within five days after the election. Only outcome determinative appeals will be considered. Candidates or voters may verify eligibility prior to the election by contacting the Chair of the Election Committee or their designee beginning 45 days before the election.

Section 3: To the extent possible, the Treasurer will provide a list of eligible voters to both the Chairperson and the Election Committee chair prior to the balloting.

Section 4: The Committee will prepare, or cause to be prepared, enough printed ballots for the eligible voters. The written ballots will be prepared at least ten days before the election. The cutoff date for appearing on the ballot is ten days prior to the election. Caucus members, meeting the same eligibility cutoff requirements for office that officers nominated before the meeting must meet, may be nominated for office from the floor at the outset of

speeches for that position. The ballot will allow for such write in candidates who are members of the Caucus. It is recommended that these ballots be numbered as a further safeguard.

Section 5: To the extent possible, the Caucus will meet on either Friday evening or Saturday at any time at the Biennial Election Convention. Early voting is permissible if approved by the Elections Committee.

Section 6: The Election Committee will be responsible for the picking a site that is accessible to all members,

Section 7: The Chair will appoint a Sergeant---at---Arms with the confirmation of the Executive Committee to keep order during the election. The Sergeant---at---Arms is a voting ex officio member of the Executive Committee.

Section 8: The Elections Committee shall allow equal access to caucus membership lists for all candidates in the following manner that guarantees access but also protects member privacy: No more than one week before the election, the Elections Committee shall publish an Election Issue of the CLC Newsletter allowing all candidates to publish a 300 word statement explaining why the candidate is running for office. Candidate statements shall be submitted to the Elections Committee no later than ten days before the election or the statements will not be eligible for publication. The Elections Committee shall review the statements and attempt to publish the statements in the Election Newsletter as written, without editing, except for content violating California Democratic Party rules or deemed inappropriate conduct by the Election Committee. Upon request, all candidates shall have equal access to the caucus membership list for the relevant area for the office for which they are running. As an additional safeguard, election rules published online shall notify candidates of this equal access.

Section 9: The Chair of the Election Committee will chair the ~~meeting~~ election. Except as modified herein, Robert's Rules of Order will be strictly adhered to and enforced. Any member not willing to abide by these rules will be removed by the Sergeant---at---Arms.

Section 10: The Elections Committee will count only officially printed ballots or ballots approved by the Elections Committee. The Elections Committee shall count the ballots immediately after the election. A representative designated by any candidate may observe the counting of ballots. Ballots shall be subject to recount if the election for any office is decided by a margin of 2% or less of the ballots cast, and a recount is requested by the affected candidate. The affected candidate must request a recount immediately after election results are announced or a recount is waived. Voting will be by secret ballot. Voters at the first determining step of the delegate selection process and first level of participation shall have an absolute right to request a secret ballot which is secure and counted when he/she is expressing his/her own personal and individual preference, but not when voting for another person.

Section 11: In the case of a tie, a new vote will be taken immediately. The Caucus meeting may not be adjourned until the final tally is announced and certified by the Election Committee.

Section 12: The election for each office shall be won by the candidate who receives the most votes cast for that office.

Section 13. The Election The Elections Committee shall retain ballots and tallies, if any, until 10 days after the Executive Board meeting next succeeding the balloting or the resolution of any challenge or appeal, whichever is later. Members may inspect the

ballots in the presence of the Committee. Voting results are open to the knowledge of the general membership.

#### **Article IX---- General Policies:**

- a. The Chicano Latino Caucus specifically recognizes its obligations to adhere to the General Provisions of the CDP Bylaws.
- b. All public Caucus meetings shall be open to all members of the CDP regardless of race, color, creed, national origin, sex, age, religion, ethnic identity, and sexual orientation, persons with disabilities as defined by the Americans with Disability Act of 1990 or economic status.
- c. The Caucus shall not discriminate on the grounds of race, color, creed, national origin, sex, age, religion, ethnic identity, and sexual orientation, persons with disabilities as defined by the Americans with Disability Act of 1990 or economic status.
- d. As a general matter, any voting member shall be permitted to vote by secret ballot on any matter except for circumstances when CDP rules do not permit a secret ballot such as for example, when a voter is voting for another rather than simply representing himself or herself.

#### **Article X – Endorsements**

The Chicano/Latino Caucus, as a body constituted within the California Democratic Party and subject to its by-laws, shall make no endorsement of any candidate for partisan or non-partisan public office unless that candidate has been endorsed by the California Democratic Party through its endorsement process. This shall not bind any member of the Chicano/Latino Caucus from making an individual

public endorsement of any candidate whether endorsed or not endorsed by the Party. However an Officer making an individual endorsement may not use their Caucus title unless the candidate to be endorsed has been endorsed by the Caucus Executive Committee, or the title is followed by an asterisk indicating that the CLC title is used for identification purposes only. The general membership may review the Endorsements of the Executive Committee. This Caucus reserves the right, under the Federal and State Constitutional guarantees of free speech, to provide a hearing to any Democratic Candidate for public office whether endorsed or not endorsed by the California Democratic Party. The Chicano/Latino Caucus reserves the right under the Federal and State Constitutional guarantees of free speech, to publish and disseminate views and opinions on all Democratic Candidates, whether endorsed or not endorsed, especially of those issues of particular interest to the Chicano/Latino Caucus and the Latino community.

#### **Article XI Amendments to the By Laws**

Section 1: The Chairperson and Executive Committee may select one (1) or more persons from the Caucus membership to periodically review and update the By--laws and make recommendations for needed amendments.

Section 2: Whenever practical, the membership should receive proposed changes to these By--Laws, ~~at least two weeks~~ at least seven days before the meeting at which time they are considered.

Section 3: The Executive Committee may recommend changes to the Bylaws to the general membership. A change in the By--Laws may be approved by the affirmative vote of two-thirds (2/3) of those voting at a properly called quarterly meeting at which a quorum is known to be present.

Section 4: Effective Date of Amended By--Laws These amended by--laws will go into effect and become applicable immediately upon their adoption by the Chicano/Latino Caucus of the California Democratic State Central Committee and a copy to be filed with the Rules Committee of the California Democratic Party.

Section 5. As an additional separate and distinct manner of amending the Bylaws, the CLC Executive Board members may amend the CLC Bylaws by a 2/3 vote at a CLC Executive Board meeting at which a quorum of the Executive Board was declared present.

#### Article XII – Code of Conduct

Section 1: Adoption of the Code of Conduct of the California Democratic Party. The Chicano Latino Caucus hereby adopts the Code of Conduct of the California Democratic Party (hereinafter “CDP Code”) and incorporates the CDP Code, as it now exists or as it may hereafter be amended, as a part of these bylaws. A copy of the current CDP Code is appended to these bylaws and if hereafter amended by the CDP, the amended CDP Code shall be considered to: Have superseded the version appended hereto, and, Be operative as if appended hereto.

Section 2: Appending of Amended CDP Codes. At the earliest possible convenience, the current CDP Code shall be appended to these bylaws, without need for further action by This Caucus.

Section 3: Violations. Any violation of the Code shall be considered a violation of the Caucus bylaws and shall subject the officer/member to discipline under Article VII, Section 11, of these bylaws. Such discipline shall be in addition to any disciplinary actions by the California Democratic Party or any of its constituent parts.

Section 4: Availability. Copies of the Code shall be: Made a part of the notices of any and all meetings of this Caucus by inclusion of an appropriate link, and, made available to members attending any such meeting by the officer responsible for check in.

#### Section 5: Filing

In addition to the process for the filing of any disciplinary charges under these bylaws, or under the bylaws of the CDP, the parliamentarian of this Caucus or, in their absence or when the conduct in issue involves the parliamentarian, any officer of this Caucus is responsible for and charged



with receiving and ensuring the prompt processing of any complaint of violation of the Code. These two (2) tracks for processing such a complaint are not mutually exclusive and the failure to process a complaint under This Caucus' bylaws shall not constitute a failure to exhaust administrative remedies barring initiation of any process under the auspices of the CDP Conduct Commission.

Amended and Adopted November 3, 2019, by the Chicano Latino Caucus

Amended and Adopted July 7, 2019 by the Chicano Latino Caucus

Amended and Adopted November 17, 2018 by the Chicano Latino Caucus

Amended and Adopted March 11, 2018 by the Chicano/Latino Caucus.

Amended and Adopted February 26, 2016 by the Chicano/Latino Caucus.

Amended and Adopted May 16, 2015 by the Chicano/Latino Caucus.

Amended and Adopted July 12, 2014 by the Chicano/Latino Caucus.

Amended and Adopted July 2012 by the Chicano/Latino Caucus.

Approved by the CDP Rules Committee 1997

Amended January 2000

Amended by the Membership November 2000

Amended by Membership March, 2009

Amended by Membership November 2009

Amended by the Membership July 2012

We hereby certify that these are this a true and correct copy o the Bylaws of the Chicano Latino Caucus.

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Chair Chicano Latino Caucus

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Secretary Chicano Latino Caucus