

# **CAMPAIGN AND ELECTION REGULATIONS FOR NEA OFFICERS**

## **AT-LARGE DIRECTORS**

This document describes election and campaign requirements for the office of  
At-large Member on the NEA Board of Directors.

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*Great Public Schools for Every Student*



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## INTRODUCTION

The NEA Constitution, Bylaws, and Standing Rules set forth basic requirements for candidates seeking positions as NEA at-large directors. The purpose of this campaign regulations booklet is to ensure that NEA candidates have all information needed to comply with these requirements. Where relevant, the regulations quote passages from the NEA Constitution, Bylaws, and/or Standing Rules. Where appropriate, those quoted passages are followed by additional discussion that fleshes out the provisions of the governing documents. Where no reference to NEA's Constitution, Bylaws, and Standing Rules is cited, the Board of Directors has adopted the policy. Where there is no stated policy, NEA and its affiliates are subject to *Robert's Rules of Order Newly Revised*.

Candidates are responsible for ensuring that all individuals working on behalf of their campaigns are aware of and abide by these campaign regulations. If any unauthorized or prohibited campaign activity is conducted on behalf of the candidate, the candidate must notify the chairperson of the Committee on Constitution, Bylaws, and Rules, in writing, within forty-eight (48) hours of knowledge of the prohibited activity.

Any questions regarding the contents of this document should be referred to NEA's Center for Governance.

## I. DEFINITIONS

For purposes of these Regulations, the following definitions shall apply:

**Affiliate** shall mean, unless otherwise indicated, “affiliate” as defined in the NEA Bylaws, as well as NEA-Retired and the NEA Advisory Committee of Student Members.

**Campaign expenses** shall mean expenditures by a candidate for NEA office or the candidate’s representative or agent that have the purpose or effect of advancing the candidate’s campaign for election to NEA office, and shall include, by way of illustration and without limitation: money spent and other resources used to solicit voluntary contributions to the candidate’s campaign; money spent for travel, meals, and lodging; money spent for printed material; money spent for mailing and other forms of distribution of printed material; money spent for campaign materials; money spent for operation of hospitality suites during the campaign period; and money spent on entertainment.

**Campaign materials** shall mean any document, electronic transmission, object, or other material that has the purpose or effect of promoting the candidacy of an individual for an NEA office, and shall include, by way of illustration and without limitation, billboards, newspaper advertisements, audio-visual materials, emails, brochures, position papers, buttons, pins, articles of clothing, candy, posters, banners, signs, fans, pens, announcements, and invitations.

**Campaign revenues** shall mean financial contributions to a candidate for NEA office or the candidate’s representative or agent, and goods and/or services in-kind given or made available to the candidate or the candidate’s representative or agent, by an individual or group of individuals for the purpose, or having the effect, of promoting the candidate’s campaign for election.

**Candidate** shall mean a person running for NEA office, unless otherwise indicated in this document.

**Ethnic-minority** shall mean those persons designated as ethnic-minority by statistics published by the United States Bureau of the Census, including American Indian/Alaska Native, Asian, Native Hawaiian or other Pacific Islander, Black, and Hispanic.

**Ex officio** shall mean by virtue of office.

**Interim director** shall mean a member who has been appointed to fill temporarily a vacancy in an at-large director position because the previous at-large director vacated it before the term had expired.

**Potential vacancy** shall mean when an NEA office would become vacant before the term of the current officeholder had expired, contingent on the occurrence of another event, such as when a current officeholder runs for another NEA elected office and, if elected to that position, would no longer hold the current position even though the term had not expired.

**Resources** shall mean anything of value, including, by way of illustration and without limitation, money, services, use of facilities or equipment, or the like.

**Term of office** shall mean the period of time that a person elected to an NEA office is expected to serve in that position, as set forth in the NEA Constitution or Bylaws.

**Vacancy** shall mean when an NEA office is not filled. For purposes of these Regulations, a vacancy may occur because the prior officeholder resigned or otherwise left the position before the end of the term, or because the position is newly created pursuant to Article V, Section 1 as a result of an appropriate increase in an affiliate's membership.

## **II. IN GENERAL**

### **A. ROLE OF LEADERS**

Elected officers at local, state, and national levels retain their rights as Association members to participate in the affairs of the organization, including supporting and working on behalf of candidates for NEA office. Such campaign activities, however, may not occur during official Association functions and may not involve the expenditure of Association funds at any level—local, state, regional, or national. Accordingly, officers may not campaign on time paid for by an Association, nor may they use Association funds, facilities, equipment, personnel (working on Association time), stationery, newsletters, or any other Association asset to assist them in campaigning.

A newsletter that contains the NEA logo, is paid for by NEA, and/or is prepared or distributed by an NEA director or other NEA elected officer in the director's or officer's official capacity will not carry any reference to an election for NEA office unless the reference is a notice of the election or in the nature of a report on an item of business at a meeting of the Board of Directors or other official NEA meeting.

### **B. ROLE OF AFFILIATES**

An affiliate is prohibited from using its name, logo, letterhead, or similar Association assets on behalf of the candidacy of any person. Except as otherwise provided in this section, an affiliate may not use its resources, directly or indirectly, to advance the candidacy of any person.

An affiliate may use its resources in a purely objective, nonpartisan way to provide information about all of the candidates for a particular office (*e.g.*, offices held, educational background, employment history, awards).

#### **1. Mailing of Campaign Literature and Use of Mailing Labels**

All reasonable requests to distribute campaign literature to every member of the affiliate, or a portion thereof, by mail or otherwise,<sup>1</sup> must be honored by the affiliate. Such distribution must be at the candidate's<sup>2</sup> expense unless the affiliate chooses to bear all or a portion of the expenses; if the affiliate so chooses to bear any expenses, it must treat all candidates for the same office equally and must notify them of the availability of such services. If distribution is at the candidate's expense, the affiliate must bill the candidate under its standard billing procedures.

Affiliates may not provide mailing labels or other member contact information directly or indirectly to any candidate for NEA office.

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<sup>1</sup> Refer to Section II. C, *Electronic Equipment and Services*, for information regarding the use of electronic mail.

<sup>2</sup> For purposes of this section, the term "candidate" means the candidate and anyone acting on the candidate's behalf or at the candidate's direction.



## 2. Interviewing Candidates

The membership, a governing body, or a special committee of an affiliate or group of affiliates may interview candidates<sup>3</sup> for NEA office regarding their positions on issues. During the interview process, the members, governing body, or special committee may meet personally with the candidate or may review a questionnaire completed and submitted by the candidate.

If an affiliate permits the use of its assets for the interviewing of candidates, the interview process must be conducted equitably in a manner that accords all candidates equal treatment. In this context, use of assets includes the rental of a room, paying the expenses of candidates or committee members, use of the headquarters facilities for the interview, use of staff to arrange the interview, or any other type of technical or logistical assistance. To ensure fairness when the use of assets is involved, the interview process should meet the following conditions:

- All candidates must be given reasonable and adequate notice of the date(s), time(s), and place(s) of the interview(s). Preliminary communications with all known candidates may be initiated to determine the dates that would be convenient for the candidates, but no candidate should receive notification of the event significantly in advance of any other candidate, if possible. The affiliate must advise all candidates about the procedures to be followed in the interview process.
- The affiliate may assume any costs for the candidate's transportation, lodging, or other expenses, even if those costs may vary among the candidates.
- If a report, transcript, or summation is distributed to members or delegates, the content and means of distribution must be fair and impartial. No candidate may receive more favorable treatment than any other candidate receives.

## 3. Endorsements of Candidates

In its regular course of business, the membership or governing body of an affiliate may endorse a candidate for office. An affiliate may not, however, call a meeting for the sole purpose of issuing an endorsement and may not spend any funds in any other manner for that purpose.

Once an endorsement has been made, an affiliate may not spend funds specifically to publicize the endorsement or to encourage delegates to vote for a particular candidate. If the actions or business of the membership or governing body are regularly published in a newsletter or regularly reported or distributed in some other manner, the affiliate may include the action on the endorsement, but this is the only condition under which the affiliate may use funds to publicize the endorsement.

Although the affiliate may not use the funds of the organization to publicize or encourage support, the following actions may be taken:

- Candidates may reference the endorsement in their own literature (*e.g.*, "I have been endorsed by the Delegate Assembly of the \_\_\_\_\_ Education Association" or, "All members of the \_\_\_\_\_ Education Association Executive Committee support my candidacy.")

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<sup>3</sup> For purposes of this section, the term "candidate" means the candidate and anyone acting on the candidate's behalf or at the candidate's direction.

- An officer of an affiliate or any other member or combination of members may use their own resources or those of the candidate to encourage support from members or delegates. In personal letters or any other type of personal communication, officers may mention their titles as a means of persuasion (*e.g.*, “Dear Delegate: I am president of the \_\_\_\_\_ Education Association and I am writing in my capacity as an individual NEA member to urge your support for ...”). Such letters may not be written on the official stationery of the affiliate.

#### 4. Association Meetings

In connection with a meeting of an affiliate, candidates<sup>4</sup> may sponsor social or fundraising events that promote their candidacies, provided that the candidate is responsible for all costs incurred because of the event and that the event is incidental to, and not part of, the affiliate’s meeting. Meeting organizers must also provide all other candidates for the same position with the same opportunity to sponsor a comparable event in connection with the meeting.

### C. ELECTRONIC EQUIPMENT AND SERVICES

A candidate<sup>5</sup> for NEA office may not use for campaign purposes any electronic service to which the candidate has access as a result of the expenditure of any resources by NEA or its affiliates. Such services include but are not limited to NEA’s Wide Area Network, local area networks established by NEA affiliates, NEA and NEA affiliate intranets, and access to the Internet that is provided by NEA or its affiliates. For example, candidates who have e-mail accounts provided by their state associations could not use them to promote their campaigns.

A candidate for NEA office may not use for campaign purposes any electronic equipment that is owned or leased by or provided by NEA or its affiliates. Such equipment includes, but is not limited to, computers, telephones (including mobile phones), photocopying equipment, and FAX machines. Similarly, a candidate may not use equipment or services that are paid for by NEA or its affiliates, either directly or indirectly or by reimbursement.

A candidate for NEA office may use for campaign purposes any electronic equipment or service to which the candidate has access without the expenditure of any resources by NEA or its affiliates. However, the candidate may not receive any assistance in the use of such equipment or service from any individual who at the time of providing the assistance is receiving compensation from NEA or its affiliates. For example, a candidate should not ask a state association’s information technology services specialist to assist the candidate in the design or operation of a campaign Web site while the association employee is on work time.

A candidate who uses electronic equipment or service without the expenditure of any resources by NEA or its affiliates has complete control over the content of messages that the candidate transmits via such equipment or service. Nevertheless, that candidate is still bound by other provisions of this

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<sup>4</sup> For purposes of this section, the term “candidate” means the candidate and anyone acting on the candidate’s behalf or at the candidate’s direction.

<sup>5</sup> For purposes of this section, the term “candidate” means the candidate and anyone acting on the candidate’s behalf or at the candidate’s direction.

document that relate to campaigning, such as the obligation to identify the source or sponsorship of all campaign materials. See section III.F.4.

#### **D. USE OF NEA LOGOS**

Neither the NEA logo nor the symbol of the united education profession may be used by candidates on campaign material or in their displays in the candidate booklet published by NEA. NEA, however, may use either or both symbols on election campaign material of an informational nature.

#### **E. USE OF “NEA” OR “nea” IN WEB DOMAIN NAMES**

Candidates<sup>6</sup> may not use “NEA” or “nea” in their campaigns’ registered Web site domain names unless the domain name minimizes the possibility of confusion regarding the use of NEA resources and/or endorsement by NEA. An example of an acceptable domain name would be “JonesforNEABoard.com.”

#### **F. CAMPAIGNING BY ASSOCIATION OFFICIALS**

Campaigning by NEA or affiliate elected or appointed officials when on assignment for NEA or an affiliate and traveling at NEA or affiliate expense must be incidental to the assignment and must not interfere with the performance of duties.

For example, an NEA official who is a candidate for office and is assigned to represent the Association at a meeting is permitted to meet with supporters or campaign committee members during off-duty hours. All expenses incurred in connection with such a meeting are campaign expenses and are not chargeable to NEA.

Candidates traveling at NEA or affiliate expense on official business may use their hotel rooms for campaign purposes (*e.g.*, a meeting of the campaign committee or a social event) provided they reimburse NEA or the affiliate, as appropriate, on a pro-rata basis for the time the rooms were used for such purposes. The amount of the reimbursement is computed as follows: The daily rate for the room is divided by 24 to determine an hourly rate. That hourly rate is then multiplied by the number of hours the candidate’s room was used for campaign purposes. The total amount should be remitted to NEA or the affiliate, as appropriate, or deducted from the candidate’s expense voucher.

#### **G. CAMPAIGNING AT LOCAL, STATE, OR NATIONAL ASSOCIATION FUNCTIONS**

Campaign activities at a local, state or NEA function (meeting, conference, social event, etc.) must be incidental to the function and must not interfere with or intrude on the planned program. Campaigning may take place before or after the function and between sessions of the function (*e.g.*, at meal breaks). For example, a candidate’s campaign workers may place campaign materials at the places of participants or observers prior to the opening of the meeting or may distribute campaign material to participants outside the entrance to the meeting room. A campaign worker may not, however, distribute campaign material once the meeting has begun or announce a campaign-related activity during the meeting.

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<sup>6</sup> For purposes of this section, the term “candidate” means the candidate and anyone acting on the candidate’s behalf or at the candidate’s direction.

### III. SPECIFIC CAMPAIGN AND ELECTION PROCEDURES

#### A. OFFICES: COMPOSITION OF THE BOARD

In the event that the first three (3) directors from a state or the first three (3) retired directors do not include at least one (1) ethnic-minority person, the state affiliate or the retired delegates to the Representative Assembly, as the case may be, shall take all legally permissible steps to elect a fourth director who is from an ethnic-minority group.

*NEA Constitution, Article V, Section 1.b.*

Members from ethnic minorities shall comprise at least twenty (20) percent of the Board. The Representative Assembly shall elect additional directors as appropriate to assure such ethnic-minority representation. If, between meetings of the Representative Assembly, ethnic-minority representation on the Board falls below twenty (20) percent, the Board shall elect additional directors as appropriate to assure the necessary ethnic-minority representation, provided that such an election can be held at a Board meeting prior to the meeting that takes place in connection with the Annual Meeting. Candidates for these positions shall be nominated by members of the Board and ethnic-minority caucus chairpersons, and any ethnic-minority person who otherwise is eligible to serve on the Board may be a candidate. The person(s) elected shall serve until an election can be held by the next Representative Assembly in accordance with this section.

*NEA Constitution, Article V, Section 1.c.*

Administrators shall be represented on the Board in proportion to their membership in the Association. If the percentage of administrators elected to the Board of Directors fails to achieve proportional representation, the Representative Assembly shall elect at large the number required to assure such representation. Candidates for these positions shall be nominated by the delegates at the Representative Assembly who are administrators.

*NEA Constitution, Article V, Section 1.d.*

Classroom teachers in higher education shall be represented on the Board at least in proportion to their membership in the Association. If the percentage of classroom teachers in higher education elected to the Board of Directors fails to achieve such proportional representation, the Representative Assembly shall elect at large the number required to assure such representation. Candidates for these positions shall be nominated by the delegates at the Representative Assembly who are classroom teachers in higher education.

*NEA Constitution, Article V, Section 1.e.*

Active members employed in education support professional positions shall be represented on the Board at least in proportion to their membership in the Association. If the percentage of such members elected to the Board fails to achieve such proportional representation, the Representative Assembly shall elect at large the number required to assure such representation. Candidates for these positions shall be nominated by the delegates at the Representative Assembly who are Active members employed in education support professional positions.

*NEA Constitution, Article V, Section 1.f.*

In elections for at-large positions on the Board of Directors at the Representative Assembly, if the number of candidates nominated equals the number of positions to be filled, the Chair shall declare such candidates elected.

*NEA Constitution, Article V, Section 1.g.*

## **B. TERMS OF OFFICE**

The terms of office of NEA at-large directors shall be three (3) years.

*NEA Constitution, Article V, Section 2.a.*

NEA state and at-large directors shall serve no more than two (2) terms. Prior service as a student director shall not be counted toward the two (2) term limit for state and at-large directors.

*NEA Constitution, Article V, Section 2.b.*

For purposes of applying the two-term limitation, the following policies are in effect:

If an at-large director serves more than half of the three-year term, the period served will count as a full term.

The person serving as an interim director and filling the unexpired portion of an at-large term that is less than half of the three-year term may subsequently serve two full terms as a state or an at-large director. The interim service will not count toward the two-term limit.

A person who has served two terms as an at-large or state director is not eligible to serve as an interim director.

A person may serve two (2) terms as a state director or two (2) terms as an at-large director or one (1) term as state director and one (1) term as at-large director. However, no one may serve more than a total of two (2) terms as a state and/or at-large director. A director who has served two (2) terms in one state is not eligible to serve as director in a second state. In either case, the two (2) terms constitute a lifetime limit.

## **C. ELIGIBILITY**

- All candidates for NEA state and at-large directors shall have been Active members of the Association for at least two (2) years immediately preceding the election. All state and at-large directors shall maintain throughout their terms of office Active membership in the Association.  
*NEA Constitution, Article V, Section 2.d.*
- For purposes of qualifying for an office, an Active member will be considered to have joined the Association as of September 1 of the membership year in which the member enrolled, or the date on which the member joined the Association, whichever is later.
- An at-large director must be a member of the particular group entitled to representation.
- A director shall immediately relinquish the position held on the Board when such director ceases to be employed in the category represented.  
*NEA Bylaw 5-5.*
- An Active member employed in an education support professional position who is an ethnic-minority member and a nonsupervisor is eligible to run for an at-large director position representing Active members employed in education support professional positions, or for the position of at-large representative of ethnic minorities on the Board.

- An Active member employed in an education support professional position who is a supervisor is eligible to run for the position of at-large representative of administrators on the Board but is not eligible to run for the position of at-large representative of Active members employed in education support professional positions.
- An ethnic-minority supervisor is eligible to run for the position of at-large representative of administrators on the Board but is not eligible to run for the position of at-large representative of ethnic-minorities on the Board.
- An ethnic-minority classroom teacher in higher education is eligible to run for the position of at-large representative of ethnic-minorities on the Board or for the position of at-large representative of classroom teachers in higher education on the Board.
- Neither full-time nor part-time local, state, and national staff are eligible to serve on the NEA Board of Directors.

## **D. ALTERNATE DIRECTORS**

If, pursuant to Article V, Section 1 of the Constitution, the Representative Assembly elects one or more at-large ethnic minority, administrator, classroom teacher in higher education, or education support professional directors, the Representative Assembly shall also elect one at-large alternate in a particular category to serve in an at-large director's place if the director is unable to attend a meeting of the Board of Directors.

*NEA Bylaw 5-6.a.(ii)*

### **1. Eligibility and Election**

An alternate director shall be from the same educational position, or at-large category, as the case may be, as the director who is replaced.

*NEA Bylaw 5-6.b.*

Alternate directors shall be certified to the NEA president in the same manner and at the same time as directors.

*NEA Bylaw 5-6.c.*

An alternate director must be elected in accordance with the requirements set for the election of NEA directors.

*NEA Bylaw 5-6.a(i).*

Candidates for alternate at-large positions must abide by the same campaign rules and regulations as candidates for at-large director positions.

An alternate director temporarily may fill a vacancy in the office of state, retired, student, or at-large director in accordance with requirements set forth in these Bylaws.

*NEA Bylaw 5-6.f.*

Vacancies arising in the office of directors held by persons elected by the Representative Assembly shall be filled by the Board of Directors when in session, or when not in session, by the Executive Committee, upon recommendation of the president. Persons filling vacancies, other than vacancies

arising as the result of a state's entitlement to an additional director pursuant to Article V, Section 1, of the Constitution, shall be from the same educational position as members being replaced. All persons filling vacancies shall serve until the first opportunity that a successor or additional director may be elected in accordance with the regular election procedure.

*NEA Bylaw 5-3.*

## **2. Rights and Privileges**

Alternative directors will have the right to vote and otherwise participate and shall assume all rights and privileges of the director replaced until the meeting is adjourned, except that they may not be elected to positions filled by and from the Board.

*NEA Bylaw 5-6.d.*

An alternate director shall not be a delegate to the NEA Representative Assembly by virtue of the alternate director's seating at any meeting of the Board of Directors.

*NEA Bylaw 5-6 e.*

## **3. Terms of Office for Alternative Directors**

Service as an alternate director, whether prior to or following service as a state, at-large, student, or retired director, shall not be counted toward the two-term limit for any director position.

*NEA Bylaw 5-6.g.*

## **E. CANDIDATE FORMS AND FILING DEADLINES**

Each candidate for election at the Representative Assembly must file with the executive director no later than at the time of nomination a certificate of eligibility, and the executive director shall verify such certification.

*NEA Standing Rule 11.B.1.*

Using forms provided by the Committee on Constitution, Bylaws, and Rules, each candidate (for an at-large-director position) shall file a preliminary report of campaign revenues and expenses, including projected revenues and expenses, with the committee prior to the opening of nominations at the Representative Assembly. A final report, on the forms provided by the committee, must be filed with the committee no later than thirty (30) days following certification of the election results.

*NEA Standing Rule 11.B.4.*

The following candidate forms are available from the Committee on Constitution, Bylaws, and Rules through NEA's Center for Governance:

- Official filing form
- Forms for preliminary and final reports of campaign revenues and expenses
- Form on nominations and candidate speeches

## F. CAMPAIGNS

### 1. General Requirements

Because of the shorter campaign period, campaign opportunities for candidates for at-large positions differ significantly from those for candidates for the executive officer and Executive Committee positions.

A candidate for an at-large position is not eligible to have a picture and candidate statement printed in *NEA Today*, to have a candidate statement printed in the convention program, to have a candidate brochure printed and/or mailed by NEA in the advance mailing to delegates, or to appear in the campaign booklet prepared by NEA for delegates.

During the Representative Assembly, the following services and activities are available to candidates for at-large positions:

- (1) Candidate booths  
Every candidate will be provided with a booth located in the lobby area of the Convention Center.
- (2) Easels  
Two (2) easels for the display of candidate posters or other campaign materials in the lobby area of the convention center will be provided.
- (3) Publicity in *RA Today*  
Candidates for at-large positions may submit photographs and biographical statements no longer than 100 words for publication in *RA Today*, the official newspaper of the Representative Assembly. NEA will provide such candidates with a form for submitting the appropriate information. Photographs and candidate statements must be submitted to the Committee on Constitution, Bylaws, and Rules no later than 3:00 p.m. on the day of the open hearings and will be printed in the issue of *RA Today* published no later than the second day of the Representative Assembly.

### 2. Campaign Period

Prior to June 1, notification of the number and type of at-large positions necessary to fulfill the requirements of Article V, Section 1 of the NEA Constitution shall be sent to the executive officers, Executive Committee, Board of Directors, state presidents, state executive directors, members of the Ethnic Minority Affairs Committee, and individuals who have notified NEA of intention to run for those positions.

*NEA Standing Rule 11.B.5.*

Accordingly, the official campaign period for candidates for at-large positions on the Board is limited to approximately one month and will terminate upon the adoption of the final report of the Elections Committee at the Representative Assembly of that year.

At-large candidates will be permitted to display “if and when” campaign paraphernalia at specialty conferences.



### **3. Campaign Revenue and Expenses**

No money or resources of NEA, an NEA affiliate, a labor organization, an employer, or any entity created or controlled by any of the above, shall be used to promote the candidacy of any individual for an NEA office.

*NEA Standing Rule 11.B.4.*

Using forms provided by the Committee on Constitution, Bylaws, and Rules, each candidate (for an at-large director position) shall file a preliminary report of campaign revenues and expenses, including projected revenues and expenses, with the committee prior to the opening of nominations at the Representative Assembly. A final report, on the forms provided by the committee, must be filed with the committee no later than 30 days following the certification of the election results. The committee shall report to the Representative Assembly, prior to any nominations or elections, whether any candidate has in any manner violated the election rules and regulations. The final report of campaign revenues and expenditures shall be made available for inspection by any member by means of an appropriate NEA electronic or printed publication.

*NEA Standing Rule 11.B.4.*

Campaign expenditures include, but are not limited to, items used to solicit voluntary contributions. The amount of money spent to purchase any item(s) for auction, giveaway, or other activity by a candidate for NEA office for the purpose of fundraising must be reported as a campaign expenditure. The amount collected from such activities must be reported as campaign revenue.

The final report of campaign revenues and expenses for each candidate will be printed in an issue of *NEA Today* and/or included on the electronic version of *NEA Today* that is posted on NEA's Web site.

No candidate or a candidate's representative or supporters may use money, goods, services, or anything of value given directly or indirectly by a labor organization (including NEA and its affiliates) or an employer (including school districts, commercial firms, and businesses) to promote any candidacy for NEA office. Only contributions received from individuals or groups of individuals may be used for that purpose.

Candidates may use on-line fundraising sites to raise campaign funds, but must screen contributors to comply with Standing Rule 11.B.4's prohibition against contributions from NEA, NEA affiliates, employers or other unions or representatives thereof. Candidates can satisfy this requirement by requiring on-line contributors to confirm affirmatively that they are contributing solely as individuals, not on behalf of NEA, an NEA affiliate, or any other union or employer.

Candidates may use campaign contributions that they have collected for any lawful purpose, except the following:

- Making contributions to other candidates or members who have expressed an intent to become candidates for elective office in NEA or its affiliates; and
- Making contributions to candidates for office in another labor organization.

### **4. Campaign Materials**

Campaign materials shall mean any document, electronic transmission, object, or other material that has the purpose or effect of promoting the candidacy of an individual for NEA office, and shall

include, by way of illustration and without limitation, billboards, newspaper advertisements, audiotapes, videotapes, emails, brochures, position papers, buttons, pins, articles of clothing, candy, and posters.

*NEA Standing Rule 13.G.*

General distribution of any type of printed material in the auditorium and adjacent lobbies (within one hundred (100) feet) of the auditorium in which the Annual Meeting is held shall require clearance with the chairperson of the Committee on Constitution, Bylaws, and Rules. Identification of source and sponsorship shall be printed on such materials.

*NEA Standing Rule 12.A.*

As a general rule, all campaign materials must carry an identification of their source and sponsorship. For example, signs, banners, brochures, t-shirts and other clothing must contain such an identification. In some cases, however, carrying such an identification would be impossible or impracticable, *e.g.*, where the item is too small, such as a small pin or a small piece of candy. In such cases, the items in question must be distributed from a table or booth, or placed in some type of container, which clearly indicates that the campaign is their source or sponsorship.

Production and distribution by a candidate or a by candidate's designee of campaign materials as defined in this document constitute campaign activities, and actual expenses so incurred must be reported as campaign expenditures.

## **5. Content of Materials**

As a general rule, all campaign materials must carry an identification of their source and sponsorship. For example, signs, banners, brochures, t-shirts and other clothing must contain such an identification. In some cases, however, carrying such an identification would be impossible or impracticable, *e.g.*, where the item is too small, such as a small pin or a small piece of candy. In such cases, the items in question must be distributed from a table or booth, or placed in some type of container, which clearly indicates that the campaign is their source or sponsorship.

When the candidate pays both production and dissemination costs and NEA merely serves as the conduit for transmitting the material to members and/or delegates, the candidate retains full and final authority over the content of the material as well as its size, shape, weight, length, and so forth.

When NEA pays for production and/or dissemination of materials in whole or in part, NEA reserves the right to reject any materials that could expose NEA to legal liability.

Any campaign material for which NEA pays production and/or distribution costs must contain a standard disclaimer, in a form prescribed by NEA, that clearly and prominently states that the material reflects the views of the candidate and not those of NEA or its affiliates. Such material must also include some text; it may not consist exclusively of photos or artwork. Such material may not contain profanity or unlawful content, such as defamatory statements or copyright or trademark infringement.

## **6. Campaigning at the Annual Meeting**

- a) Meeting with the Committee on Constitution, Bylaws, and Rules

The Committee on Constitution, Bylaws, and Rules will conduct a briefing for candidates and/or their campaign managers before the first business meeting of the Representative Assembly. Candidates who have filed official filing forms will be notified about the time and place of the briefing.

b) Span of campaign activity

Campaign activities at the convention site may begin with the opening of delegate registration and must cease during the business meetings of the Representative Assembly, with the exception of activities at NEA-provided candidate booths. Candidates, upon the invitation of the chairperson of a state delegation, may appear at a meeting of that state delegation at the convention site on the day of voting.

## 7. Campaigning at the Convention Site

a) Convention site rules

Candidates must adhere to the rules of the convention site regarding the distribution of materials and the display of posters. Pertinent convention site rules and information regarding the number, dimensions, and display of posters will be mailed to a candidate upon receipt of the official filing form or as soon thereafter as available.

b) Food service

The NEA contract with the convention facility determines the kinds of foods that may be distributed by candidates at the facility.

Some convention facilities require that all food products served at the convention site be purchased through them. Candidates must check with NEA Conference and Facilities Management before making arrangements to serve any type of food or beverage in their candidate booths. Permission to serve food products to be consumed at the convention site must be obtained through NEA Conference and Facilities Management, which will secure appropriate clearance from the convention facility manager. Written approval will include specific terms and conditions.

Popcorn, peanuts in shells, and chewing gum are prohibited in the convention facility.

c) Candidate booths

- (1) Candidate booths are located in the lobby area. NEA will provide basic equipment for the candidate booths at no expense to the candidates.

The basic equipment consists of the following:

- One (1) four-foot or one (1) six-foot table
- Two (2) chairs
- Two (2) easels
- One (1) wastebasket
- One (1) sign with the candidate's name and the office being sought

Expenses for furniture, equipment and services beyond the items specified above, will be paid for by the candidate.

- (2) All candidate booths will be located in clearly visible areas not observable from the polling places at the convention site.
  - (3) Candidate booths are subject to the rules and regulations that govern all other exhibits.
  - (4) Display materials exposing an unfinished surface are not permitted for any booth and finishing of such surfaces will be ordered by the convention management at the candidate's expense.
  - (5) All presentations and other campaign activities at the candidate booth must be confined to the limits of the assigned booth. Candidates and their campaign workers must take care to prevent the aisles around the booth from being blocked during the exhibit hours.
  - (6) No candidate may assign, sublet, or share the assigned booth space. Candidates may not utilize state booths for campaigning.
  - (7) No balloons of any kind are permitted at the convention site.
  - (8) No decals or adhesive-backed stickers may be distributed or used in the convention facility.
  - (9) One (1) of the two (2) easels provided to each candidate by NEA Conference and Facilities Management may be used to display campaign posters in the lobbies of the convention site. The easels are included in the basic equipment provided for the candidate in the candidate booth. For safety purposes, easels must not obstruct the flow of traffic in the area.
  - (10) No poster may exceed 2 feet by 3 feet in single or combined display in the convention site.
  - (11) Candidates are responsible for the removal of their posters from the convention site. If the candidate fails to remove the posters, or if, after the removal of the posters, extra cleanup or paint touchup is required, the candidate will be charged for labor, time, and materials.
  - (12) Booth set-up and timing will be coordinated by NEA Conference and Facilities Management, and addressed at the candidate briefing conducted by the Committee on Constitution, Bylaws, and Rules.
  - (13) Candidate booths will be reviewed periodically to ensure their conformity with the requirements.
- d) Distribution and display of materials

No campaign materials may be distributed, posted, or displayed within the seating area of the auditorium or where they are visible from the seating area while the Representative Assembly is in session, provided that this prohibition shall not apply to the wearing of T-shirts, hats, pins, buttons, and the like.

No campaign materials, including T-shirts, hats, pins, buttons, and the like, shall be distributed, posted, or displayed at the polling places or where they are visible from the polling places on election day.

*NEA Standing Rule 11.B.3.*

e) Electronic Display of Candidate Photographs at the Convention Center

NEA will display candidate campaign photographs on video screens throughout the convention center, at select times and locations during the first three days of the Annual Meeting beginning with the opening of delegate registration through the closing of polls (consistent with Standing Rule 11.B.3).

Candidates wishing to have their campaign photograph displayed on video screens must submit an electronic file of the photograph to NEA's Center for Governance by the time and in the format specified.

Electronic displays of candidate photographs will be grouped by the offices being sought.

f) Disruptive activities

The Committee on Constitution, Bylaws, and Rules, in cooperation with NEA Conference and Facilities Management, will halt any campaign activities that (1) impede the business or functioning of the Annual Meeting, including exhibits, open hearings, business meetings of the Representative Assembly, registration, and voting; (2) hinder the flow of traffic while those activities are in progress; or (3) constitute a safety hazard.

Campaigning is prohibited within 25 feet of entrances, exits, stairs, escalators, and elevators, or within 25 feet of the shuttle bus stops at the convention site. Members of the Host Committee will be on duty to monitor the flow of traffic.

g) Interviews, screenings, and other meetings

Interviews and screening procedures or other meetings of state affiliates or special interest caucuses with candidates are prohibited during times designated by NEA for regularly scheduled delegation or caucus meetings.

The membership, a governing body, or a special committee of an affiliate or group of affiliates may interview candidates for the position of NEA at-large director or their representatives regarding the candidates' positions on issues. However, if an affiliate permits the use of its assets for this activity, the interview process must be conducted equitably. In this context, use of assets includes the rental of a room, paying the expenses of committee members, use of the headquarters facilities for the interview, use of staff to arrange the interview, or any other type of technical or logistical assistance. In order to ensure fairness when the use of assets is involved, the interview process should meet the following conditions:

- (1) All candidates must be given reasonable and adequate notice of the date, time, and place of the interview. Preliminary communications with all known candidates may occur to determine the dates that would be convenient for the candidates, but no candidate should receive notification of the event significantly in advance of any other candidate. The affiliate must advise all candidates about whether a representative will or will not be permitted to attend in the candidate's place.
- (2) If a report, transcript, or summation is distributed to members or delegates, the content and means of distribution must be fair and impartial.

h) Removal of materials

Candidates must remove their campaign materials from the convention site prior to the adjournment of the Representative Assembly.

**8. Campaigning at Delegate Hotels – Hotel Lists**

Candidates will be provided a list of names, addresses, and telephone numbers of all hotels used by delegates to the Annual Meeting. Candidates will also be provided with a list of state housing assignments and state caucus meeting rooms. Due to late changes and adjustments, a complete list is not available for distribution until mid-May.

**G. ELECTIONS**

**1. Nominations and Candidate Responses**

a) At the first business meeting of the Representative Assembly, nominations shall take place, as appropriate in each year, for the elections provided for by Article V, Section 1 of the Constitution.

b) Nominations, as appropriate in each year, shall be made in the following order: (i) president; (ii) vice president; (iii) secretary-treasurer; (iv) members of the Executive Committee; (v) at-large representatives of classroom teachers in higher education on the Board of Directors; (vi) at-large representatives of administrators on the Board of Directors; (vii) at large representatives of Active members employed in education support professional positions on the Board of Directors; (viii) at-large representatives of ethnic minorities on the Board of Directors. The time of nominations of at-large ethnic-minority candidates, if necessary to achieve twenty (20) percent ethnic-minority representation on the Executive Committee as provided for by Article VI, Section 1(c) of the Constitution, shall be announced by the President contingent upon other nominations and/or balloting for Executive Committee positions.

Nominations for each category shall be made in an order determined by a drawing by the candidates or their designees.

Consistent with the requirements set forth in Rule 12.H., each candidate shall be nominated from the floor by motion of a delegate to the Representative Assembly. When all nominations have been made, each candidate or designee shall have an allotment of time to address the Representative Assembly. Candidates for the office of president shall be given five (5) minutes for this purpose. Candidates for vice president, secretary-treasurer, and the Executive Committee shall be given three (3) minutes. Candidates for at-large positions on the Board of Directors shall be given two (2) minutes.

Candidates or their designees shall speak in an order determined by drawing by the candidates or their designees.

If the number of candidates nominated equals the number of positions to be filled, the chair shall declare such candidates elected.

The Committee on Constitution, Bylaws, and Rules shall be in charge of timing all speakers. Each speaker shall be given a one (1) minute warning before the time has elapsed, and the timekeeper shall stand at the end of the allotted time.

*NEA Standing Rule 11.B.6.*

c) Candidates for (at-large positions representing educational support professionals) shall be nominated by the delegates at the Representative Assembly who are Active members employed in education support positions.

*NEA Constitution, Article V, Section 1(f).*

d) Candidates for (at-large positions representing classroom teachers in higher education) shall be nominated by the delegates at the Representative Assembly who are classroom teachers in higher education.

*NEA Constitution, Article V, Section 1(e).*

e) Candidates for (at-large positions representing administrators) shall be nominated by the delegates at the Representative Assembly who are administrators.

*NEA Constitution, Article V, Section 1(d).*

f) Standing Rule 11.B.7 provides for two (2) lotteries—one to determine the order of nominations and the other to determine the order of responses by candidates or their designees. Both lotteries occur under the supervision of the chairperson of the Committee on Constitution, Bylaws, and Rules or the chairperson's designee immediately after the adoption of the Standing Rules by the Representative Assembly. For the purpose of determining the order of nominations, candidates or their designees draw in the reverse order in which the candidates filed for office. For the purpose of determining the order of candidate responses, candidates or their designees draw in the order in which the candidates filed for office. If any candidate, nominator, or designee is not present or represented at either lottery, a member of the Committee on Constitution, Bylaws, and Rules designated by the chairperson will draw for that person.

g) All candidates or designees who address the Representative Assembly on behalf of candidates are required to report to the platform immediately after completion of the lotteries described above.

h) Any delegate nominating a candidate will be recognized for the purpose of moving the nomination of the candidate. No nomination speeches will be permitted.

i) Nomination and election procedures will be discussed at the Constitution, Bylaws, and Rules Committee briefing for candidates and campaign managers immediately before the Annual Meeting (See also section III.F.6.a.).

## **2. Placement of Names on the Ballot**

The names of the candidates shall be placed on the first ballot in the order determined by lottery by the candidates or their designees immediately following the close of nominations at the Representative Assembly; on subsequent ballots the order also shall be determined by lottery by the candidates or their designees.

The candidates or their designees, no later than thirty (30) minutes after the nomination and acceptance speeches have concluded, shall assemble at a place designated by the chairperson of the Committee on Constitution, Bylaws, and Rules. The lottery shall be held under the supervision of

the chairperson of the Elections Committee and in the presence of the chairperson of the Committee on Constitution, Bylaws, and Rules or designee.

In the event that a candidate or designee fails to appear at the appointed time and place, the chairperson of the Elections Committee shall draw for that candidate.

The order of the lottery shall be as follows: For placement on the first ballot, the candidates shall draw in order determined alphabetically by the states of the candidates. For placement on a runoff ballot, the candidates shall draw in order of the highest number of votes received on the previous ballot.

*NEA Standing Rule 11.B.7.*

The times and places of the lotteries will be announced from the platform.

### **3. Observers**

Each candidate will be permitted to have an observer at the polls during tabulation of the ballots, and at the preparation, mailing, and counting of ballots, should a mail ballot be necessary.

### **4. Announcement of Election Results**

The chairperson of the Elections Committee shall present the report of each balloting by vote tally to the Representative Assembly.

*NEA Standing Rule 11.B.7*

As soon as the results of an election are certified, all business of the Representative Assembly shall be suspended until the results are reported to the Representative Assembly.

*NEA Standing Rule 11.B.7.*

Following the oral report of the results of balloting to the Representative Assembly, the certified results shall be posted at the voting booths, displayed electronically to the Assembly hall, and printed in the next edition of the Representative Assembly newspaper.

*NEA Standing Rule 11.B.7.*

Successful candidates will assemble at the platform for seating on the stage during the final meeting of the Representative Assembly.

### **5. Runoff Elections**

Runoff elections shall be held as necessary until there is an election for each position by a majority vote. Notice of runoff elections shall be given by the chairperson of the Elections Committee from the platform during a regularly scheduled business meeting of the Representative Assembly. The Chairperson of the Elections Committee shall set, subject to approval by the Representative Assembly, the hours for all runoff elections. The chairperson of the Elections Committee shall authorize a runoff election by mail ballot of the certified delegates, if it becomes necessary, to assure elections by majority vote.

*NEA Standing Rule 11.B.7.*



If runoff elections are necessary, the chairperson of the Committee on Constitution, Bylaws, and Rules will make an announcement from the platform about additional campaigning.

Candidates whose names will appear on a runoff ballot may resume campaigning immediately upon announcement of the runoff and must cease campaigning before the opening business meeting on the day of the runoff. Distribution of campaign materials must be consistent with the Standing Rules.

General distribution of any type of printed material in the auditorium and adjacent lobbies (within one hundred (100) feet) of the auditorium in which the Annual Meeting is held shall require clearance with the chairperson of the Committee on Constitution, Bylaws, and Rules. Identification of source and sponsorship shall be printed on such materials.

*NEA Standing Rule 12.A.*

As a general rule, all campaign materials must carry an identification of their source and sponsorship. For example, signs, banners, brochures, t-shirts and other clothing must contain such an identification. In some cases, however, carrying such an identification would be impossible or impracticable, e.g., where the item is too small, such as a small pin or a small piece of candy. In such cases, the items in question must be distributed from a table or booth, or placed in some type of container, which clearly indicates that the campaign is their source or sponsorship.

No campaign materials may be distributed, posted, or displayed within the seating area of the auditorium or where they are visible from the seating area while the Representative Assembly is in session, provided that this prohibition shall not apply to the wearing of T-shirts, hats, pins, buttons, and the like.

No campaign materials, including T-shirts, hats, pins, buttons, and the like, shall be distributed, posted, or displayed at the polling places or where they are visible from the polling places on election day.

*NEA Standing Rule 11.B.3.*

## **6. Challenge Procedures**

Any challenge to the election of an at-large candidate must be filed with the chairperson of the Committee on Constitution, Bylaws, and Rules.

The challenge will be entertained only if it is filed within thirty (30) days after the challenger knew or reasonably should have known of the alleged violation. Extension of the time limit for filing may be granted by the Constitution, Bylaws, and Rules Committee for good cause.

If either the challenger or the challenged party believes that any member of the Committee should not be involved in the processing of the challenge because of a conflict of interest, the challenger or challenged party may file a written request for disqualification with the chairperson of the Committee, indicating the nature of the alleged conflict. The Committee will address the request for disqualification before dealing with the substance of the challenge.

The Committee will take such steps as it deems appropriate to prepare a written report of the relevant facts regarding the challenge and a recommendation for its disposition to the Board of Directors.

## **H. VACANCIES**

Vacancies arising in the office of directors held by persons elected by the Representative Assembly shall be filled by the Board of Directors when in session, or when not in session, by the Executive Committee, upon recommendation of the president. Persons filling vacancies shall be from the same education positions as the members being replaced and shall serve until the first opportunity that successor directors may be elected in accordance with the regular election procedure.

*NEA Bylaw 5-3.*

## **I. EX OFFICIO DELEGATE STATUS OF AT-LARGE DIRECTORS**

Election to the Board of Directors by the NEA Representative Assembly will constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

About this document:

May 1980 – Adopted by the NEA Board of Directors;

December 2009 – Revised by the NEA Board of Directors;

September 2010 – Administratively updated quotations from the NEA Constitution, Bylaws, and Standing Rules for amendments adopted by the 2010 Representative Assembly;

February 2011 – Revised by the NEA Board of Directors;

September 2011 – Administratively updated to reflect references to the restated NEA Standing Rules adopted by the 2011 Representative Assembly.

May 2014 – Revised by the NEA Board of Directors