

2023 NEA-RETIRED ELECTIONS RULES

01/18/2023

ARTICLE I - ELECTION REQUIREMENTS/ELIGIBILITY

- A. To be eligible for election to an NEA-Retired position, a member must have retired prior to September 1 in the year in which the term begins.
- B. Members elected to NEA-Retired positions must maintain NEA-Retired membership throughout their terms of office.
- C. NEA requires that candidates for the NEA Resolutions Committee be delegates to the current NEA Representative Assembly.

ARTICLE II - NOMINATIONS

- A. Notice of elected NEA-Retired positions to be filled at the Annual Meeting will be published in the winter issue of NEA TODAY and on the NEA-Retired website.
- B. NEA-Retired will provide members with a link to an online nomination form (preferred method for filing) and a hardcopy nomination form. The printable nomination form may be sent via U. S. mail or electronically.
- C. Nominations for NEA-Retired officers, Executive Council, NEA Board of Directors, Alternates for the NEA Board of Directors, and NEA-Retired seats on the NEA Resolutions Committee must be filed or received (electronically or non-electronically) by 5:00 pm, ET (close of business), on May 1.
- D. Members may run for only one elected NEA-Retired position.
- E. NEA-Retired will provide candidates with the Rules for NEA-Retired Elections upon receipt of the official nomination. After the candidates file, they will be sent the candidate package.

ARTICLE III - CAMPAIGN REGULATIONS

- A. After submitting a signed confidentiality form to the Retired Elections Chair, candidates may receive an electronic list of the previous year's Retired Annual Meeting delegates. These candidates shall also receive a list of current Retired Annual delegates as soon as possible after registration closes, acknowledging that the list is not a final list of delegates but is the most complete list available on that date. These lists shall only be used for campaign purposes.
- B. NEA Standing Rule 10-E requires that no portion of dues money at the local, regional, state or national level shall be used to promote the candidacy of any individual for an NEA-Retired office.
- C. Candidates may not use any NEA, State EA or Local EA logos to promote their candidacy.
- D. Each printed campaign piece must include a disclosure clause (i.e. "Paid for by...." or "Authorized by..."). Small items such as candy, pencils, and pens do not need a disclosure. However, candidates distributing small items from a dish or other container must post a disclosure card nearby.
- E. Although no expenditure limitations are in effect, all candidates are required to submit a report of campaign revenues and expenditures (even if none were expended) to the Elections Committee Chair no later than seven (7) days after the end of the election.

ARTICLE IV - DISTRIBUTION OF CAMPAIGN MATERIALS AT NEA-RETIRE CONFERENCES AND THE RETIRED ANNUAL MEETING

- A. Candidates for NEA-Retired positions may distribute campaign materials prior to and/or at the (in-person) Annual Meeting, but not in the meeting room. No campaigning, including distribution of materials, is permitted within twenty (20) feet of the doors of the General Session room and/or the voting area unless the hotel setup requires a different distance.

- B. Candidates may designate someone to distribute campaign material on their behalf. This arrangement is between the candidate and their campaign staff member, including shipping or delivering materials to the meeting location. Under no circumstance is the Retired Elections Committee or NEA staff to be involved in receiving the shipment or distribution of a candidate's campaign materials.
- C. Campaign tables will be available upon request. Candidates for NEA-Retired positions must request a space at the Retired Annual Meeting when submitting their nomination application.
- D. NEA-Retired will provide candidates with instructions, including times for campaign table set-up, prior to the Annual Meeting.
- E. Candidates must not post campaign materials on the walls of the facility.
- F. These regulations also apply to candidates for run-off and special elections.

ARTICLE V - CONDUCT OF ELECTIONS

- A. Only Retired delegates to the NEA Representative Assembly are eligible to vote. Successor delegates may only vote at the Retired Annual Meeting if they are voting delegates at the NEA Representative Assembly.
- B. All candidate speaking orders and ballot positions will be determined by lottery during the candidate meeting in early May. The speaking order for all candidates will be displayed electronically in the Annual Meeting General Session room.
- C. Candidates addressing the Annual Meeting will be subject to the following time limits: President, Vice President, Secretary, Executive Council, and NEA Board of Directors: 3 minutes; NEA Resolutions Committee and Alternates to the NEA Board of Directors: 2 minutes.
- D. Speeches will be delivered live, and a candidate may designate a proxy to speak on their behalf.
- E. A Retired Elections Committee member shall be appointed the official

timekeeper, and they will signal when a candidate's speaking time has ended.

- F. The "30 Second Rule" will apply if a technology or connectivity issue interrupts a candidate's speech or prevents members from hearing it. If a candidate is less than 30 seconds into their remarks when the issue arises, the candidate may commence at the beginning of their speech. If the issue arises 30 seconds or more after the address begins, the candidate must begin their speech at the point where the issue occurred. The Elections Committee will determine when the 30 Second Rule is implemented.
- G. Secret balloting systems shall be used for NEA-Retired elections. Paper ballots and/or an electronic voting system will be used for Retired governance elections, including the Retired seats on the NEA Resolutions Committee. If mail paper balloting is used, the ballots will be sent to delegates' contact information as listed in the Representative Assembly registration system.
- H. Elections for NEA-Retired Officers, Executive Council, and Retired seats on the NEA Board of Directors and Alternates to the NEA Board of Directors, shall be determined by a majority of the ballots cast in each race. Vote tabulation will be conducted in accordance with NEA election procedures. Any ballot determined to be invalid will not figure in the computation of the majority.
- I. Run-off election(s) shall be held if no single candidate receives a majority vote on the first ballot. The run-off ballot shall list the candidates who, in descending order, received the highest number of votes on the previous ballot, with one more candidate than the number of positions to be filled.
- J. Election to the NEA Resolutions Committee shall be determined by plurality vote. Members and alternates will be declared elected in the order of votes received. In case of a tie, a coin toss will be held only to determine elected position.
- K. Following each election, the Elections Chair shall report to the Annual Meeting the number of valid and invalid ballots cast, the number and percentage of votes each candidate received, and the candidates elected or moving to a run-off election (if necessary).

- L. A candidate may assign an observer to the Elections Committee to observe the vote handling and tabulation. The observer may not be a candidate. The observer's name and contact information are due to the Elections Chair no later than the May candidate meeting. Training about the vote tabulation process will be provided to the observers prior to the tabulation. When the voting is conducted in person, the observer may be present in the voting/election room but cannot interfere in any way with the election process.

If a certified observer notices something that seems irregular or amiss during the observation of the processing and counting of the ballots, they shall notify the Chair of the Elections Committee of these irregularities. The Chair shall determine whether the concern is serious enough to warrant a pause in the process, allow for the irregularity to be corrected, and determine whether the processing and counting may continue or must be restarted. If the processing/counting issue is minor, the Chair shall allow the processing/counting to continue after corrections have been made. When the voting/processing/counting is in person, the Chair shall make determinations on all serious irregularities after consultation with the members of the Elections Committee present at the counting. The Chair shall rule on minor irregularities. As the observers and members of the Elections Committee are sequestered, no information, including glitches in the counting process, may be transmitted to any candidate until the voting results are announced.

- M. Election Committee members and observers will be sequestered until the Chair of Elections announces or posts the election results.

ARTICLE VI - ETHNIC-MINORITY REPRESENTATION

The NEA Constitution states (Article V, (b)):

"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 Standing Rule 7.B.8, referring to the election of Resolutions Committee

members, states:

"In the event that the first three (3) members from a state or the first three (3) retired members do not include at least one (1) ethnic minority, the fourth member shall be from an ethnic-minority group."

NEA-Retired Bylaws state that:

“Following the election of officers and Executive Council members at the NEA-Retired Annual Meeting, if the total membership does not include at least one member of an ethnic-minority group, an ethnic-minority member shall be elected to the Council in accordance with the provisions of the NEA Bylaws. The election shall be conducted with open nominations and a secret ballot. The term shall be one year.”

This one-year term shall not count toward the filling of any regular term of office. A “regular term” is defined as being three years.

ARTICLE VII - VACANCIES

- A. NEA-Retired officer and Executive Council vacancies shall be filled in accordance with NEA-Retired Bylaws, Article VII, Section 2, and Article III, Section 5, respectively.
- B. Retired NEA-Director and Retired Board of Director Alternate vacancies shall be filled in accordance with NEA-Retired Bylaws Article IX, Section 5, and Article X, Section 5, respectively,

The procedure for selecting a name for submission to the NEA Board of Directors or NEA Executive Committee shall be as follows:

- a. The deadline for nominating a member for the open seat shall be one week prior to the meeting during which the vacancy recommendation will be decided. Nominations shall be filed with the NEA-Retired president.
- b. At the meeting in which nominations are being considered, each candidate shall be allowed to address the Executive Council for a maximum of three minutes.

- c. The Council shall vote by secret ballot. The recommended candidate shall be determined by a majority vote and the winning candidate shall have their name forwarded to the NEA Board of Directors.

ARTICLE VIII. ELECTION CHALLENGE PROCEDURES

An appeal of a ruling of the NEA-Retired Elections Chair shall be filed in writing with any member of the NEA Committee on Constitution, Bylaws, and Rules within twenty-four (24) hours after the challenger knew or reasonably should have known of the basis for the challenge. Promptly after receipt of said challenge, the Committee on Constitution, Bylaws and Rules shall notify the President of NEA-Retired, the Retired Elections Chair, and the person challenged. The Committee on Constitution, Bylaws, and Rules shall take such steps as it deems appropriate to dispose of the challenge, and shall inform, in writing, the President of NEA-Retired, the Retired Elections Chair, the challenger, and the person challenged of its decision as soon as possible. The challenger or the person challenged may appeal the decision of the Committee on Constitution, Bylaws, and Rules to the NEA Executive Committee by filing a written notice of appeal with any member of the Executive Committee within twenty-four (24) hours after receiving written notice of the decision of the Committee on Constitution, Bylaws, and Rules. The Executive Committee shall rule on the appeal as soon as possible, and its ruling shall be final. Every reasonable effort shall be made to dispose of the challenge prior to the close of the NEA Annual Meeting during which said election takes place.

NOTE: If anything in these election procedures is found to be in conflict with NEA rules or regulations, NEA rules and regulations shall prevail.

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