

FEDERAL EDUCATION ASSOCIATION

2009-2010 Election Procedures

FEA Election of At-Large Officers

A. NOMINATIONS CHAIRPERSON

1. The President will appoint a Nominations Chairperson subject to the approval of the Board of Directors at the first Board meeting of the school year in which the election shall take place. Notification shall be made to the appointee within a week of the Board of Directors' approval.
2. Nomination Forms must be sent to the Nominations Chairperson postmarked no later than December 18, 2009. A backup copy may also be mailed or faxed to the FEA Administrative Office, 1201 16th Street, NW, Suite 117, Washington, DC 20036. It is recommended that the forms mailed to the Nominations Chairperson be sent by certified mail, return receipt requested. The FEA Washington office fax number is 202-822-7867.

**DODDS/DDESS OUTLOOK EMAIL AND/OR GOVERNMENT COMPUTERS MAY NOT BE USED TO SEND OR RECEIVE EMAILS FOR ELECTION PURPOSES. OUTLOOK MAIL is an internal government communications tool and cannot be used for internal union business. CANDIDATES MAY ALSO NOT USE FOR CAMPAIGN PURPOSES ANY ELECTRONICS/TECHNOLOGY THAT IS OWNED, PAID FOR, OR PROVIDED BY THE ASSOCIATION.**

3. Upon receipt of a Nomination Form, the Nominations Chairperson shall send a packet to the candidate to include notice that the nomination has been received; a copy of the Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form to be completed if such form was not received with the Nomination Form; a copy of the Election Procedures; and a list for the appropriate constituency by school, giving actual membership for the previous school year. In February 2010, the candidates will be provided a list of actual membership for SY 09-10.
4. The Nominations Chairperson, with assistance as needed from the Regional Offices and/or the FEA Administrative Office, shall certify that each candidate meets the appropriate membership qualifications. The Nominations Chairperson shall prepare a list of candidates and shall keep this list of candidates in confidence. By January 7, 2010, the Nominations Chairperson shall inform only the FEA Director of Administration of the list of candidates.

The Nominations Chairperson will advise the FEA Director of Administration of any candidates nominated by another person for whom Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Forms have not been received. Prior to releasing the list of the candidates, the FEA Director of Administration will contact such candidates by telephone confirming acceptance of the nomination and requesting that an Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form be sent to the FEA Director of Administration immediately. The deadline for receipt of the Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form is January 14, 2010.

By January 15, 2010, the Director of Administration will send the list of candidates to the Board of Directors, all FRSs, and all candidates. The list of candidates will be posted on the FEA Web Page ([www.feaonline.org](http://www.feaonline.org)) and in the next FEA Journal.

Between the hours of 9:00 a.m. and 4:00 p.m. EDT on January 19 or 20, the FEA Administrative Office will accept one collect call from each candidate and give him/her the list of candidates for his/her race and the names of those candidates for other offices.

The name of each candidate nominated and certified will be printed on the ballot unless a written communication of withdrawal from the candidate is received by the Nominations Chairperson no later than February 5, 2010.

## B. ELECTION PROCEDURES

1. The FEA Administrative Office shall announce to the membership in the November 2009 FEA Journal, with sufficient prominence to be seen by all members, that a ballot by the membership will take place for the purpose of electing officers. Additional general information about the election will be included in this publication, including where to obtain a Nominations Form.
2. The following specific information/materials will be mailed in election packets sent to all Local Presidents and FRSs:
  - a. Notice of Open Nominations and Election marked "TO BE POSTED";
  - b. Duties, terms, and requirements for each office;
  - c. Official Nomination Forms (Self-Nomination and Nomination of Another Member);
  - d. Official Acceptance and Biographic Information Form/Mailing Label and Mail Restrictions Form;
  - e. The election schedule;
  - f. Notice to all Local Presidents and FRSs to 1) Announce to their members the opening of nominations, and 2) post/distribute all

election-related materials in the exact same manner for any candidate that chooses to send materials directly to the FRS/Local President. FEA leaders may not use any government or association equipment to reproduce campaign literature.

3. The FEA Administrative Office shall send to all candidates as soon as possible, but no later than January 15, 2010, general election information and notice that:
  - a. Their nomination forms have been received;
  - b. Their candidacy has been certified;
  - c. The FEA will assist them in the ways listed under candidate support;
  - d. They have a right, at their own expense, to have an observer present at the preparation and mailing of the ballots and at the tally of the ballots;
  - e. They must follow the Campaign Guidelines and finance requirements.
  - f. They may elect, at their option, to use a specified U.S. mail-house to print and mail their campaign literature rather than mail their materials through the MPS.
  
4. The FEA Administrative Office shall send to all candidates as soon as possible, but no later than January 25, 2010:
  - a. One set of mailing labels for the current world-wide active membership based on membership forms received in Washington by January 15, 2010, in zip code order. (Refer to Section C.4 regarding the appropriate use of the labels).
  - b. Once set of mailing labels for the world-wide leadership (Local President, FRS's and Board of Directors) and the number of active members at each school.
  
5. By January 15, 2010, the Nominations Chairperson will forward the Nomination Forms and the Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Forms to the FEA Administrative Office. Using the information provided on each Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form submitted, the FEA Administrative Office shall prepare biographies for all candidates. These biographies will be included in the ballot packets and published in the FEA Journal.
  
6. The FEA Administrative Office will mail a Sample Ballot Packet to each FRS, Local President, and Area Director not later than March 8, 2010. Local Faculty Representative Spokespersons, Local Presidents, and Area Directors are authorized to reproduce sample ballots for each member who has not received his/her ballot by March 24, 2010.

7. The FEA Administrative Office shall prepare and mail Ballot Packets. The order of candidates on the ballot shall be determined through a random draw by personnel in the NEA Mid-Atlantic Office. The Ballot Packets shall be sent to the active membership by first class mail on March 9, 2010.

Each Ballot Packet shall contain the following items:

- a. Notice of election;
  - b. Official biographies of candidates;
  - c. Instructions for voting;
  - d. Ballot;
  - e. Secret ballot envelope; and
  - f. One pre-addressed and postage franked return envelope, which includes spaces for the following: printed name, school, address, and signature. The signature will be used for verification of voting eligibility only.
8. All valid ballots received in Washington by the close of business April 20, 2010 shall be counted.

#### C. SUPPORT OF CANDIDATES

1. In addition to the set of mailing labels provided to the candidates by January 25, 2010 (Refer to Section B.2.), the FEA Director of Administration will mail to each candidate by February 12, 2010, one additional set of mailing labels for the world-wide leadership list (Local Presidents, FRSSs, and Board of Directors members) and one set of mailing labels for the world-wide membership based on membership forms received in Washington by February 8, 2010, in zip code order. Candidates, who will not need these additional sets of labels, are encouraged to send a written notice to the FEA Washington office by February 5, 2010 declining such labels.
2. Candidates are restricted from using the FREE Military Postal System (MPS) for election purposes and; therefore, may not send any campaign literature through the free MPS. Using the free MPS for election purposes will be grounds to contest the election. Candidates may use the MPS only if appropriate postage is placed on each individual piece of mail.
3. Candidates may elect not to use MPS and, instead, hire a specified mail-house in the U.S. to print and mail their campaign materials. In order to protect the names and addresses of FEA members, the mail-house will be determined by the FEA Washington office. Candidates may transmit their campaign materials in PDF format directly to the mail-house by electronic mail.  
Candidates who use this option must contact the FEA Washington office for information on how to proceed.

The candidate must work directly with the mail-house to coordinate their mailings. Candidates using the mail-house have two options for the mailing of their materials:

OPTION A – The mail-house will print and mail one flyer to each FEA Active member world-wide on file with the FEA Washington office as of the date the labels are generated.

OPTION B – The mail-house will print and mail an appropriate number of flyers to each DoDDS FRS/DDESS Local President world-wide. This number will be based upon the current FEA active membership world-wide and would be determined by FEA.

Candidates are not allowed to make any modifications to the above mailing options.

The FEA Washington office will provide one set of world-wide mailing labels and/or DoDDS FRS/DDESS Local Presidents labels to the mail-house by electronic file. These labels are for the sole purpose of mailing campaign materials. These electronic labels remain the property of the FEA and may not be transmitted to the candidate. Each set of world-wide or DoDDS FRS/DDESS Local President labels used by the mail-house will be in lieu of one set of the same labels provided directly to the candidate as defined in B.4. and C.1. of the election procedures.

Other than providing labels to the mail-house for a candidate, FEA may not contact the mail-house on behalf of the candidate for any reason (such as to assist in the mailing or discuss any disputes). This does not preclude FEA from communicating with the mail-house for general guidance on election procedures.

A candidate is responsible for the entire cost (printing, envelopes, postage, labor, etc.) of the printing/mailing and must arrange payment directly with the mail-house. Candidates are fully responsible for making all arrangements for printing, mailing, etc. directly with the mail-house. Should there be any negligence on the part of the mail-house to accurately complete a candidate's mailing, there will be no recourse with FEA or challenges to the election. Candidates elect this option solely at their own risk.

4. All labels mailed to the candidates are for the sole purpose of campaigning for the office sought. These labels remain the property of the Association. Any other use/misuse of the labels is strictly prohibited. In addition to civil liabilities, any misuse/abuse may result in disciplinary actions, including suspension/removal from office and/or suspension/removal from membership. No additional sets of labels, other than those outlined in these procedures, will be provided to the candidate.

5. Candidates understand that some members may have failed to notify FEA of updated addresses and, as a result, candidates may have campaign materials returned to them as “undeliverable”. FEA is not responsible for reimbursing the candidate for these returned materials.
6. In an edition of the FEA Journal, local FRSSs, Stateside Local Presidents and leaders will be advised to post/distribute all campaign materials received in the exact same manner for each and every candidate. Candidates may identify individuals to distribute materials in identified schools.
7. Information on all candidates will be published in the FEA Journal prior to the mailing of the ballots according to the following procedures:
  - a. Each candidate will be asked to submit a picture, preferably a 2" X 2". All pictures become the property of the Association and are not returnable. A digital photo may also be emailed to FEA at fea@feaonline.org. It is the candidate's responsibility to confirm that a photo has been received by the FEA Washington office. The pictures will be placed in the FEA Journal; all will be reduced or enlarged so they are the same size, and will accompany the appropriate text. Pictures must be received in the FEA Washington office no later than February 2, 2010.
  - b. The pictures and candidate biographical information taken from the Official Acceptance and Biographical Information/Mailing Label and Mail Restrictions Form will be printed and mailed in the FEA Journal approximately two weeks prior to the mailing of the ballots.

#### D. COUNTING THE BALLOTS

1. A neutral observer, fully versed in the tally procedures, will be appointed by the NEA to serve as the Tally Chairperson. The Tally Chairperson and at least two other persons shall make up the Elections Committee. Election Committee members must be non-candidates and non-FEA Governance. The Election Committee members shall be appointed by the FEA President.
2. The FEA Administrative Office will provide the Tally Chairperson with a complete and valid list of memberships received in the Washington office by the date of the tally. Members must have joined by April 5, 2010, to be eligible to vote.
3. The Elections Committee and assigned staff shall tally the ballots in Washington, D.C., on April 21, 2010. If necessary, the tally will continue on April 22.

4. The Tally Chairperson shall instruct all observers that their role is to observe only. They shall have the right to request a recount as provided below in Section F. Except for the staff assigned to count the ballots, no other staff or governance member shall enter the tally site.
5. The Tally Chairperson shall consider a candidate elected when that candidate has received a majority of the valid votes cast, in accordance with the preferential voting procedures.
6. The Tally Chairperson shall determine the validity of each ballot received for the tally. Those ballots that the Tally Chairperson determines are not valid must be accompanied with an explanation of why each ballot was determined to be invalid. This written explanation shall be included in the official certification sent by the Tally Chairperson to the President. The ballots shall be secured under lock by the NEA Mid-Atlantic office/NEA building, pending request and outcome of challenge or recount.
7. The Tally Chairperson shall, within twenty-four (24) hours of the tally, provide written certification to the FEA President of the election results. Between the hours of 9:00 a.m. and 4:00 p.m. Eastern Standard Time on April 23 and April 26, the FEA Administrative Office will accept one collect call from each candidate and give him/her the vote tally for his/her race and the names of those elected to the other offices.
8. The FEA Director of Administration will send a full report of the election results to each candidate by first class mail on May 5, 2010.
10. All ballots and tally sheets must be kept secured by the FEA Administrative Office for a period of at least one year after all challenges have been heard and acted upon.

#### E. REPORT OF ELECTION RESULTS

1. The Tally Chairperson, with the assistance of the FEA Administrative Office shall prepare a report to the Board of Directors. The report shall include the following information:
  - a. The total number of votes cast for each candidate;
  - b. The total number of valid votes cast for each candidate;
  - c. An explanation of why each invalid vote was judged to be invalid;
  - d. The number of votes cast for each candidate to the lowest level of the organization required to file a Labor Management Report;
  - e. The percentage of membership who voted by FEA Area or Local as appropriate under the Department of Labor reporting standards.

2. The Board of Directors shall vote to approve the President's election report at the first BOD meeting held after the tally has been completed, and all challenges and/or recounts have been heard and acted upon.
3. The election results will be posted in the FEA Journal before the end of the school year. Election results will also be posted on the FEA Web Page ([www.feaonline.org](http://www.feaonline.org)).

#### F. RECOUNTS

1. The Elections Committee may conduct a recount in response to a request by a candidate or observer if the margin of victory is ten votes or less.
2. The Elections Committee may call for a recount in response to a request by either a candidate or an observer who alleges an impropriety in the voting or ballot counting procedure. If such a request is made, the Elections Committee must determine by majority vote to call for a recount. This decision will be conveyed to the affected candidates. In the event the Elections Committee denies a recount, the candidate may appeal to the FEA Board of Directors.

#### G. CHALLENGE PROCEDURES

1. All formal challenges must be in writing, signed by the challenger, and filed with the FEA Executive Director, following the instructions in G.2. and G.3.
2. The formal election challenge must be mailed, using certified mail with return receipt, and be postmarked no later than June 21, 2010 to: FEA Executive Director, 1201 16<sup>th</sup> Street, N.W., Suite 117, Washington, D.C. 20036 AND faxed no later than June 21, 2010 to the FEA Washington Office, to the attention of the FEA Executive Director at (202) 822-7867.
3. The formal election challenge **MUST** include the specific charge or alleged violation on which the claim is based. The formal election challenge **MUST ALSO INCLUDE** any and all of the grounds on which the challenge is based, together with any and all documents, communications, statements, information, or any other evidence to be considered.
4. The formal election challenge must also include a mailing address and telephone number at which the challenger can be contacted over the summer break, in the event that clarification and/or more information is required.
5. The Board of Directors will hear formal challenges to the election and make a final decision to any challenges.

6. Once internal FEA procedures have been exhausted, further appeals may be filed under the Civil Service Reform Act to the Office of Labor Management Standards, Department of Labor, Suite 668, Riddell Bldg, 1730 K Street, N.W., Washington, D.C. 20006.

APPROVED BY THE FEA BOARD OF DIRECTORS  
OCTOBER 2009

## 2009-2010 ELECTION TIMELINE

October 2009	Board sets election procedures. Board approves appointment of Nominations Chairperson.
November 2009	Notice of Election and general election information published in <u>FEA Journal</u> and posted on the FEA Website. Nomination Packets and sent to all local presidents, FRSs and <u>BOD</u> .
December 18, 2009	Deadline for postmark on Nomination Forms.
By January 7, 2010	Nominations Chairperson notifies FEA Director of Administration of the list of candidates.
By January 14, 2010	Deadline for receipt of Official Acceptance and Biographical/Mailing Label and Mail Restrictions Form.
By January 15, 2010	FEA Director of Administration sends the list of candidates to the BOD, FRSs, and all candidates. Candidate list posted on FEA website.  Nominations Chairperson forwards Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form to the FEA Administrative Office.  FEA Administrative Office sends all candidates notice of certification of their candidacy and election information.
By January 25, 2010	FEA Administrative Office sends all candidates one set of mailing labels for leaders and members and guidelines for mailing campaign materials.
By February 2, 2010	Deadline for receipt in FEA Washington office of Candidate Picture
By February 5, 2010	Deadline for withdrawal of nomination if candidates do not wish to have their name printed on the ballot.
By February 12, 2010	FEA Director of Administration mails to each candidate a second set of mailing labels for leaders and membership.
By March 8, 2010	FEA Administrative Office mails Sample Ballot Packet to FRSs, Local Presidents and Area Directors.
March 9, 2010	FEA Administrative Office mails Ballot Packets to active membership.
March 24, 2010	Local Presidents, FRSs and Area Directors may reproduce ballots for those members who have not received theirs.
April 20, 2010	Deadline for receipt of ballots.
April 21 and 22, 2010	Votes tallied.
April 23 and 26, 2010	Election results posted on FEA Website within 24 hours of tally. FEA accepts one collect call from each candidate and gives him/her the election results.
May 5, 2010	The FEA Director of Administration will send a full report of the election results to each candidate.
June 21, 2010	Deadline for filing election challenge.
August 2, 2010	Newly elected officers take office (Sept. 1 for the NEA Director)