

Policy Category

ELECTION RULES

Policy Title

**CAMPAIGN REGULATIONS FOR CANDIDATES
FOR SDEA/NEA OFFICE**

I. Definitions:

1. *Candidate* means the candidate or any other person designated to speak or act on behalf of the candidate.
2. *UniServ Governance Unit* means the governing body or the unit as a whole (Western Unit, Plains Unit, EGL (Educators Guiding Learners) Unit, Eastern Prairie Unit, SEE (South East Educators) Unit, COHE, Students, Retired).
3. *File* means mailing a hard copy, submitting a copy via facsimile, or submitting a copy via electronic means.

II. Filing for Office

1. Candidates for the office of President, Vice-President, Treasurer, or NEA Director shall file an Affirmation of Candidacy form with the SDEA/NEA President or the Elections Committee staff liaison. Within 5 working days of receipt by SDEA/NEA, the candidate shall be mailed or emailed, with the candidate confirming receipt, the rules and regulations governing the campaign.
2. Within 5 working days of SDEA/NEA's receipt of the Affirmation of Candidacy Form, the candidate for state office/NEA Director shall be provided with the items requested on the form; and will be contacted by the Chief Financial Officer if requested. If applicable, the Chief Financial Officer will arrange a time to explain the budget and monthly financials to the candidate.
3. Candidates for the office of President must comply with SDEA Bylaws Article VII, Section 3. For active members, compliance shall consist of providing evidence of the member's school board's approval of a three year leave of absence that allows/enables the member to remain a member of SDEA for those three years. For retired members, compliance shall consist of providing evidence of the member's pre-retired membership in SDEA/NEA.
4. Candidates for the SDEA Board of Directors and NEA/RA Delegates shall file an Affirmation of Candidacy form with the SDEA/NEA President or the Elections Committee staff liaison.
5. Notification of candidacy must be filed by January 15. Electronic submission of the Affirmation of Candidacy form must be time-stamped by 11:59 p.m. central time on January 15 to be deemed to be timely filed. Postal mail submission of the Affirmation of Candidacy form must be post-marked on or before January 15 or the next postal business day if January 15 falls on a Sunday or federal holiday to be deemed to be timely filed.

III. Campaign Rules

Failure to follow campaign rules and regulations may result in disciplinary action, including, but not limited to, disqualification of the candidate.

1. No portion of dues money at local, UniServ, state, or national level shall be used to promote the candidacy of an individual for an SDEA/NEA office.
2. Candidates may campaign from the end of the previous year's SDEA/NEA Representative Assembly to the close of the voting period for that election.
3. Prior to a campaign appearance in a local affiliate or a UniServ Governance Unit, the candidate will contact the local association or UniServ Governance Unit president/designee and follow any local procedures/policies.
4. Except as otherwise provided in this policy, candidates or candidates' campaigns must obtain permission from any SDEA/SDEA affiliated and/or outside group holding an event before campaigning at that event. If more than one group is sponsoring or in charge of the event, permission must be obtained from each group.
5. Equitable access shall be provided to candidates by the local, UniServ, and at state meetings/functions.
 - a. If candidates are invited or have requested to address a meeting, an invitation shall be extended to all candidates for the same office.
 - b. If a candidate makes contact with a local affiliate for additional campaign appearances, the local affiliate is not obligated to contact other candidates for the same office.
 - c. The initial announcement of candidacy does not apply. There shall be only one initial announcement.
6. Candidates, supporters, and the candidates' campaigns are prohibited from using any non-personal (district or association) electronic technology (i.e., FAX, voice mail, email, instant messaging, text messaging, etc.) to campaign.
7. Candidates must obtain written permission prior to using anyone's (member or nonmember) name or picture in any campaign literature.
8. All printed and electronic campaign literature shall include a notation indicating that the material was paid for by the candidate or by a committee to elect the candidate. Campaign materials need to include the disclaimer "May not be disseminated by non-personal (district or association) technology." 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 SDEA/NEA office, and shall

include, by way of illustration and without limitation, billboards, newspaper advertisements, audiotapes, videotapes, emails, texts, tweets, Instagram posts, Facebook posts, other social media, brochures, position papers, buttons, pins, articles of clothing, candy, and posters. In some cases, however, carrying such identification would be impossible or impractical, 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.

9. Candidates may not use the SDEA logo.
10. Upon request, a table shall be provided to each candidate at statewide events of the Association beginning with the 1st event following the SDEA/NEA Representative Assembly in the year preceding the election. Requests must be made to the SDEA/NEA Elections Committee Staff Liaison at least 10 calendar days prior to the event. Late requests will be honored on a space available basis.
11. No members shall be allowed to wear or display campaign items in support of a candidate on the floor of the SDEA/RA.
No SDEA/NEA officer shall be allowed to endorse and/or campaign for any candidate other than him/herself.
Members of the SDEA/NEA Board of Directors shall not be allowed to wear or display campaign items in support of a candidate at Board of Directors meetings.
12. If a candidate, including an incumbent, wishes to attend an SDEA event for which travel reimbursement (mileage reimbursement and/or other travel expenses) is provided, the candidate may receive such travel reimbursement only if the candidate does not campaign at such event. No travel reimbursement will be allowed if the candidate campaigns at the event.
13. Candidates are prohibited from using SDEA/NEA staff for campaign purposes at any time other than for duties specified in the staff person's job description.

IV. Campaign materials mailings:

1. Candidates wishing to mail individual Association members other than local and UniServ leaders shall follow SDEA/NEA Board of Directors policy 11.2 with the following exceptions:
 - a. A copy of the material must be on file with the Executive Director at the SDEA/NEA office no later than 48 hours after mailing.
 - b. Permission is automatic.
 - c. The access fee will be waived.
 - d. Labels will be applied at SDEA/NEA Headquarters and will not be taken out of the office.
 - e. Candidates must provide their mailing already stuffed and stamped.

V. Services Provided by SDEA/NEA

1. SDEA/NEA provides candidates the following avenues to access voting members:
 - a. Free space in the “Election” issue of the Advocate for candidacy statement(s).
 1. Officer and NEA Director Candidates 150 words.
 2. Board of Directors 50 words
 3. NEA/RA Delegates 50 words.
 - b. Officer, NEA Director, and Board of Director candidates may submit a photo with candidacy statement.
 - c. Equal access to paid advertising in the “Election” issue of the Advocate upon request made to the SDEA/NEA Communications Department, subject to printing deadlines.
 - d. Postal and email mailing addresses of local presidents, with locals identified, and UniServ unit leaders may be requested by the candidate.
 - e. Mailings to members through one of the SDEA/NEA offices at the candidate’s expense may be requested by the candidate.
 - f. Candidates for President, Vice-President, Treasurer, and NEA Director shall be provided time to address the SDEA/NEA RA and other forums as determined by the Board of Directors.
 - g. Candidates for SDEA/NEA Board of Directors and NEA-RA Delegates will be introduced at the SDEA/NEA-RA.
 - h. Candidate’s table available at SDEA/NEA statewide events upon request made to the SDEA/NEA Election Committee Staff liaison at least 10 calendar days prior to the event. Late requests will be honored on a space available basis.
 - i. Candidates’ statements, photographs, and preferred contact information will be posted on the SDEA/NEA website. If the candidates do not wish to have their information on the website, they need to make that request to the SDEA Election committee staff liaison. The photograph and statement will be the same that appears in the candidates' issue of the Advocate. If the candidate has a campaign website, a hot link to the candidates’ website will be added at the end of their statement if requested.

VI. Services Provided by Local Affiliates/UniServ Governance Units

1. If any service (tables, booths, distribution of materials, meals, mileage, registration) is provided by a local affiliate or UniServ Governance Unit to any candidate, similar services must be provided to all candidates for that office. No affiliate or UniServ Governance Unit is required to provide any service on behalf of any candidate for SDEA/NEA office.
2. Refer to BOD Policy 7.7 Campaign Regulations for Local Affiliates for additional information.

VII. Endorsements of Candidates

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

funds for that purpose.

2. A local affiliate may publicize, in a regularly published newsletter/communication, the action of the endorsement. An affiliate may not spend funds to otherwise publicize the endorsement or to encourage membership to vote for a particular candidate.
3. Although the affiliate may not use the funds of the organization to publicize or encourage support, the following actions may be taken:
 1. The candidate may use the endorsement in his/her own literature (e.g., “I have been endorsed by the Delegate Assembly of the Anycity Education Association” or “All members of the Anycity Education Association committee have supported my candidacy”).
 2. Any local affiliate member or combination of members may use their own money or that of the candidate to encourage support from members or delegates. In a personal letter or any other type of personal communication, an officer may mention his/her title as a means of persuasion (e.g., “Dear Member: I am president of the Anycity Education Association and I urge your support for ...”). Such letters shall not be written on the official stationery of the affiliate.
4. Candidates may not be endorsed by UniServ Governance units or the SDEA/NEA Board of Directors, as a whole.
5. Refer to BOD Policy 7.7 Campaign Regulations for Local Affiliates for additional information.

VIII. Campaigning at the Representative Assembly

1. Campaigning at the SDEA/NEA Representative Assembly shall be in compliance with the Standing Rules of the Representative Assembly.
2. Candidates or their campaign committees may not distribute campaign materials on the RA floor before, during, or after any session.
3. Campaign materials may be posted outside the RA hall. Disposal of materials is the responsibility of each candidate.
4. No campaign signs may be posted or brought onto the RA floor.

IX. Official Nominations and Candidate Placement on the Ballot

1. Notification of candidacy must be filed by January 15.

2. Each candidate for SDEA/NEA office may speak from the floor of the Representative Assembly at the first business session.
3. The names of the candidates shall be placed on the first and subsequent ballots in the order determined by lottery.

X. Enforcement Procedures

1. Inquiries about campaign practices shall be addressed to the Elections Committee Chairperson or the SDEA/NEA Staff Liaison.
2. Any challenge alleging a violation of the campaign rules and regulations shall be filed in writing to the Elections Committee Chairperson or SDEA/NEA Staff Liaison. A challenge must be filed within 5 days of the time the challenger learns of the alleged violation, but in no event must the Elections Committee Chairperson or SDEA/NEA Staff Liaison recognize any challenge filed after the ballot deadline pursuant to SDEA/NEA Bylaws Article IX, Section 2. The written challenge must specify the rule or regulation being violated. The SDEA/NEA Staff Liaison will forward any complaints received to the Election Committee Chairperson who will inform the challenger and the candidate of an expected timeline.
3. Pursuant to its authority, the Elections Committee shall meet and review every challenge to determine:
 - a. Whether one of the election rules or regulations has been violated; and
 - b. Whether such violation could have caused a different result from the result reported; and
 - c. Whether a new election could theoretically bring about a different result throughout the state than would otherwise be the case if the election were allowed to stand.
 - d. In as much as is feasible, the committee shall address violations as they occur and respond in a timely fashion.
 - e. All challenges shall be kept confidential unless otherwise determined by the committee.
4. Should the Elections Committee find that a candidate is in violation of the campaign rules or regulations, the committee may initiate disciplinary action which may include, but not limited to any or all of the following actions:
 - a. reprimand
 - b. withdrawal of assistance
 - c. billing for assistance

- d. a recommendation to the SDEA/NEA Board of Directors to disqualify the candidate
- e. a recommendation to the SDEA/NEA Board of Directors to call for a new election.

XI. Run-Off Elections

1. Pursuant to SDEA Bylaws Article IX, Section 3, “[i]n the event no [officer] candidate receives a majority vote, a run-off election will be held between the two candidates receiving the greater number of votes.”
2. The run-off election will be held within 60 calendar days after the close of the SDEA Representative Assembly. See SDEA Bylaws Article IX, Section 3.
3. Section III, Campaign Rules; Section IV, Campaign Materials Mailings; Section V, Services Provided by SDEA/NEA; Section VI, Services Provided by Local Affiliates/UniServ Governance Units; Section VII, Endorsement of Candidates; and Section X, Enforcement Procedures plus BOD Policy 7.7 shall apply to the run-off election except as modified below.
 - a. Section III, Campaign Rules, Paragraph 2 shall be modified to read “Candidates may campaign from the ballot count date to the close of the voting period for the run-off election”.
 - b. Section III, Campaign Rules, Paragraph 11, second sentence shall be modified to read “No SDEA/NEA officer or SDEA/NEA officer-elect shall be allowed to endorse and/or campaign for any candidate other than him/herself.”

Loren Paul
President of the Board

Adopted	December 5-6, 1980
Amended	July 29, 1988
Amended	April 6, 1991
Amended	June 10, 1994
Amended	January 29, 2005
Amended	January 29, 2006
Amended	October 5, 2007
Amended	October 1, 2011
Amended	June 11, 2013
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