

CAMPAIGN AND ELECTION REGULATIONS

For KEA Positions

This document describes election and campaign requirements for the Kent Education Association

INTRODUCTION

The KEA Constitution and Bylaws as well as WEA Constitution, Bylaws, and Standing Rules set forth basic requirements for candidates seeking positions to represent KEA.

The purpose of this campaign regulations booklet is to ensure that KEA candidates have all the information needed to comply with these requirements. Where no reference to WEA's or KEA's Constitution, Bylaws, and Standing Rules is cited, the Elections Commission will provide information and make adjustments.

Any questions regarding the contents of this document should be referred to KEA's Election Commission.

I. DEFINITIONS

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

Campaign expenses shall mean expenditures by a candidate for office or the candidate's representative or agent that have the purpose or effect of advancing the candidate's campaign, 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, 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. (See Section: III.C.3)

Campaign revenues shall mean financial contributions to a candidate 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 a KEA position, unless otherwise indicated in this document.

Potential vacancy shall mean when a KEA position 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 office and, if elected to that position, would no longer hold their 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 a KEA/WEA position is expected to serve in that position as set forth in the KEA Constitution or Bylaws, WEA Constitution or Bylaws and the NEA Constitution and Bylaws respectively.

Vacancy shall mean when a position is not filled. For the purposes of these Regulations, a vacancy may occur because the prior officeholder resigned or otherwise left the position before the end of the term.

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 KEA, WEA or 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 KEA, WEA or NEA logo, is paid for by KEA, WEA or NEA, and/or is prepared or distributed by a KEA, WEA or NEA Board Director or other KEA/WEA elected officer in the director's or officer's official capacity will not carry any reference to an election for KEA, WEA or 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 KEA, WEA or NEA meeting.

B. ROLE OF KEA

KEA 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, KEA will not use its resources, directly or indirectly, to advance the candidacy of any person.

KEA 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 KEA, or a portion thereof, by mail or otherwise, will be honored. Such distribution must be at the candidate's expense. KEA will bill the candidate under its standard billing procedures including for work hours of staff to prepare any materials.

KEA will not provide mailing labels or other member contact information directly or indirectly to any candidate. All requests for member contact information must be made to the WEA in accordance with the attached policy.

2. Endorsements of Candidates

Members of the Elections Commission will not endorse specific candidates for any KEA office.

3. Association Meetings

In connection with a KEA meeting (Exec Board, Rep Council, General Membership Meeting), candidates 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. Notice of this opportunity should be given to all other candidates as soon as possible.

C. ELECTRONIC EQUIPMENT AND SERVICES

A candidate for an office may not use for campaign purposes any electronic service to which they have access as a result of the expenditure of any resources by KEA, WEA, NEA, or its affiliates. For example, a candidate who has an email account provided by the candidate's state association could not use it to promote his or her campaign.

A candidate for a KEA position may use for campaign purposes any electronic equipment or service to which he or she has access without the expenditure of any resources by KEA, WEA, or NEA. If the candidate has access to phones, that are paid for by the Association, the candidate must track the amount of time used for campaign purposes and then calculate the value of that use and reimburse the Association for that amount. Written records must be kept to document how this was tracked and calculated. 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 KEA, WEA, or NEA.

A candidate who uses electronic equipment or service without the expenditure of any resources by WEA, NEA or its affiliates has complete control over the content of messages that they transmit via such equipment or service. Nevertheless, that candidate is still bound by other provisions of this document that relate to campaigning, such as the obligation to identify the source or sponsorship of all campaign materials.

D. USE OF KEA, WEA, OR NEA LOGOS

Neither the KEA, WEA or 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 flier. KEA, however, may use either or both symbols on election campaign material of an informational nature.

USE OF "KEA" "WEA", "NEA", "wea", "kea" OR "nea", IN WEB DOMAIN NAMES

Candidates⁶ may not use "KEA" "WEA", "NEA", "kea" "wea" or "nea" in their campaigns' registered Web site domain names unless the domain name minimizes the possibility of confusion regarding the use of KEA, WEA or NEA resources and/or endorsement by KEA, WEA or NEA. An example of an acceptable domain name would be "SmithforKEAPresident.com."

E. CAMPAIGNING BY ASSOCIATION OFFICIALS

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

For example, a KEA 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 KEA.

A candidate traveling at WEA, NEA or KEA expense on official business may use their hotel room for campaign purposes (e.g., a meeting of the campaign committee or a social event) provided they reimburses KEA, as appropriate, on a pro-rata basis for the time the room was 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 KEA, as appropriate, or deducted from the candidate's expense voucher.

F. 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.

III. SPECIFIC CAMPAIGN AND ELECTION PROCEDURES

A. ELIGIBILITY

All candidates for KEA officer shall have been Active members of the Association for at least two (2) years immediately preceding the election. KEA Officers shall maintain their membership throughout their terms of office. All other positions require nominees to be members in good standing.

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 they joined the Association, whichever is later.

Neither full-time nor part-time local, council, state and national staff are eligible to serve in elected governance positions.

B. CANDIDATE FORMS AND FILING

All initial nominations must be made at Rep. Council, and then submitted electronically to the KEA Election Commissions at KEAelections@washingtonea.org.

Each candidate is required to submit in writing to the chairperson of KEA Election Commission at KEAelections@washingtonea.org the name of one (1) official observer to be present at all times during the voting and the recording of the votes if paper ballots are used.

Nominations for KEA candidates may be made by any individual eligible for the office. All candidates may submit campaign statements to be published in the What's Up KEA Election Edition by the date determined by governance.

Candidate statements are limited to 100 words for Officers and 50 words for all other positions. Statements need to be submitted no later than one week after nominations close to KEAelections@washingtonea.org . KEA will send statements out with the ballot email. Any candidate who does not submit a statement will have "no statement submitted" next to their name on the flyer.

Nominations for KEA positions close at least 15 calendar days after nominations open.

Candidates may have their names withdrawn from the ballot until the time the polls officially open for balloting.

C. CAMPAIGNS

1. Campaign Period

The campaign period shall be 30 days after the close of nominations.

Campaign activity is prohibited during the business meetings of the KEA Rep Council, Exec Board or General Membership Meetings.

No candidate materials may be distributed during any official KEA meeting. Materials may be placed on a table prior to meetings or handed out before and after meetings.

2. Campaign Revenue and Expenses

No money or resources of KEA, WEA, 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 person for a KEA office.

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 KEA, WEA, NEA and its affiliates) or an employer (including school districts, commercial firms, and businesses) to promote any candidacy for KEA, WEA or NEA office. Only contributions received from individuals or groups of individuals may be used for that purpose.

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

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

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

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 KEA, WEA, 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 KEA, WEA, NEA, an NEA affiliate, or any other union or employer.

3. 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 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.

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 candidate's designee of campaign materials as defined in this document constitutes a campaign activity, and actual expenses thus incurred must be reported as such.

All campaign materials placed or distributed outside the Assembly meeting room shall conform with the rules and/or regulations outlined.

No "giveaway" items of any type shall be permitted by a candidate running for office at any Rep Council.

Hospitality, campaign buttons, and inexpensive consumable items shall not be considered "giveaway" items.

4. Content of Materials

All campaign materials must contain an identification of source and sponsorship.

When the candidate pays both production and dissemination costs and WEA, NEA or its affiliates merely serve 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 KEA WEA, NEA or its affiliates pay for production and/or dissemination of materials in whole or in part, KEA WEA, NEA, and its affiliates reserve the right to reject any materials that could expose them to legal liability.

Any campaign material for which KEA WEA, NEA or its affiliates pay production and/or distribution costs must contain a standard disclaimer 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.

5. Campaign Services

A candidate for KEA position may request nomination information at KEAelections@washingtonea.org

No candidate may use KSD materials or equipment, including email, to produce or distribute campaign literature, flyers, etc.

Officer candidates will be provided the opportunity to submit a one-page (8x11.5) campaign flyer that will be attached to the ballot. Candidates should submit the flyer to KEAelections@washingtonea.org in a pdf format no later than 1 week after nominations close.

Creation and copying of campaign materials may be done at KEA. The candidate must arrange a time with KEA staff to use the office and machines. This time must be within the staff working hours.

KEA will provide one 8 ½ x 11-inch color copy per building and distribute that copy to buildings via established distribution methods. Timelines for distribution will be determined by governance.

Any additional copies may be done at KEA at cost. Current costs are 5 cents for per black and white copy, 10 cents per colored ink copy on standard 8 ½ x 11-inch paper. If candidate provides their own paper, the costs are 2 cents per black and white copy and 7 cents per color copy.

KEA does not provide envelopes, stamps, paper clips, or other materials for candidates.

No candidate materials may be distributed during any official KEA meeting. Materials may be placed on a table prior to meetings or handed out before and after meetings.

If a candidate is sending materials to a building for distribution, the candidate needs to have a person who has agreed to receive and distribute the materials. This may not occur via the use of KSD email.

Each candidate will get a full copy of the policies governing KEA elections.

IV. Campaign Regulations and Enforcement

KEA Election Commission shall be empowered to enforce the campaign regulations.

Candidate violation of the campaign rules and regulations may cause the KEA Election Commission to render a decision to withdraw the candidate from the election. All decisions of KEA Election Commission may be appealed to the KEA Exec Board.

Candidates may be present when physical ballots are counted. Candidates will be provided with a certificate of official results.

Candidates are listed in random order on the ballot.

KEA officers are elected by majority vote.

Run-off procedures are outlined in KEA Policy 607.