

CAMPAIGN AND ELECTION REGULATIONS FOR NEA OFFICERS

EXECUTIVE OFFICERS AND OTHER EXECUTIVE COMMITTEE MEMBERS

This document describes election and campaign requirements for the offices of President, Vice President, Secretary/Treasurer, and NEA Executive Committee.

Adopted by the NEA Board of Directors
May 1980

Updated May 2018

Center for Governance
National Education Association
1201 Sixteenth Street, N.W.
Washington, D.C. 20036



Great Public Schools for Every Student

INTRODUCTION	1
I. DEFINITIONS	2
II. IN GENERAL	3
A. Role of Leaders	3
B. Role of Affiliates	3
1. Mailing of Campaign Literature and Use of Mailing Labels.....	3
2. Interviewing Candidates	4
3. Endorsements of Candidates.....	4
4. Association Meetings.....	5
C. Electronic Equipment and Services	5
D. Use of NEA Logos	6
E. Use of “NEA” or “nea” in Web Domain Names	6
F. Campaigning by Association Officials	6
G. Campaigning at Local, State, or National Association Functions	6
III. SPECIFIC CAMPAIGN AND ELECTION PROCEDURES	7
A. Offices	7
B. Terms of Office	7
C. Eligibility	7
D. Candidate Forms.....	8
E. Filing Deadline	8
F. Campaigns.....	9
1. Campaign Period.....	9
2. Announcement of Candidacy	9
3. Campaign Revenue and Expenses.....	10
4. Campaign Materials	11
5. Activities Prior to Annual Meeting	11
6. Campaigning at NEA Functions other than Representative Assembly.....	15
7. Campaigning at the Annual Meeting	15
8. Campaigning at the Convention Site.....	16
9. Campaigning at Delegate Hotels.....	19
G. Elections	20
1. Nominations and Candidate Responses	20
2. Placement of Names on the Ballot	21
3. Observers.....	21
4. Announcement of Election Results	21
5. Runoff Elections.....	22
6. Challenge Procedures.....	23
H. Vacancies.....	23
I. Ex Officio Delegate Status of Officers and the Executive Committee.....	24

I. INTRODUCTION

The NEA Constitution, Bylaws, and Standing Rules set forth basic requirements for candidates seeking positions as executive officers or members of the NEA Executive Committee. 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.

II. 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.

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.

III. 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 must 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,¹ must be honored by the affiliate. Such distribution must be at the candidate's² expense unless the affiliate chooses to bear all or a portion of the expenses; if the affiliate 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.

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

² For purposes of this section, "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 candidates³ 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.")

³ For purposes of this section, "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 communications, 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.
- At the NEA Representative Assembly, screenings and interviews for the purpose of endorsement are prohibited at any time designated by NEA for regularly scheduled meetings of the state delegations or special interest caucuses.

4. Association Meetings

In connection with a meeting of an affiliate, candidates⁴ 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 an opportunity to sponsor a comparable event in connection with the meeting.

C. ELECTRONIC EQUIPMENT AND SERVICES

A candidate⁵ 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.

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

⁵ 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.

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 document that relate to campaigning, such as the obligation to identify the source of 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. NEA, however, may use either or both symbols on election material of an informational nature.

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

Candidates 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 “JonesforNEAsecretarytreasurer.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.

III. SPECIFIC CAMPAIGN AND ELECTION PROCEDURES

A. OFFICES

The executive officers and the six (6) members of the Executive Committee shall be nominated and elected at large by the Representative Assembly by majority vote and by secret ballot for each individual office.

NEA Constitution, Article VI, Section 1.a.

B. TERMS OF OFFICE

The terms of the President, of the Vice President, and of the Secretary-Treasurer shall be three (3) years beginning September 1 following their election, except that the term of the Secretary-Treasurer elected in 2012 shall be two (2) years. Each executive officer shall remain in office through August 31 of the year in which a successor is elected, unless otherwise provided in this Constitution. An executive officer shall serve no more than two (2) terms in the office to which elected.

NEA Constitution, Article IV, Section 3.d.

Terms of the Executive Committee members shall be three (3) years beginning September 1 following the election. Such members of the Executive Committee shall not serve more than two (2) terms.

NEA Constitution, Article VI, Section 2.a.

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

If an executive officer or member of the Executive Committee serves more than half of the three-year term, the period served will count as a full term.

Two of the six Executive Committee members shall be elected each year to achieve staggered terms.

C. ELIGIBILITY

All candidates for the office of President, Vice President, and Secretary-Treasurer shall have been Active members of the Association for at least two (2) years immediately preceding the election. All executive officers shall maintain Active membership in the Association.

NEA Constitution, Article IV, Section 2.

All candidates (for Executive Committee) shall have been Active members of the Association for at least two (2) years immediately preceding the election. All Executive Committee members shall maintain throughout their terms of office Active membership in the Association.

NEA Constitution, Article VI, Section 2.b.

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.

Members from ethnic minorities shall comprise at least twenty (20) percent of the Executive Committee. The Representative Assembly shall elect additional Executive Committee members as appropriate to assure such ethnic-minority representation.
NEA Constitution, Article VI, Section 1.c.

If it becomes necessary for the Representative Assembly to elect additional ethnic-minority members of the Executive Committee to comply with Article VI, Section 1.c of the NEA Constitution, in addition to meeting the above criteria, eligible candidates must also be ethnic minorities as defined in Bylaw 12-1.h.

Neither full-time nor part-time local, state, and national staff are eligible to serve on the NEA Executive Committee.

D. CANDIDATE FORMS

The Committee on Constitution, Bylaws, and Rules provides forms for candidates to certify that they have been Active members of NEA for at least two (2) years immediately preceding the election.

Using forms provided by the Committee on Constitution, Bylaws, and Rules, each candidate 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, which includes certification of eligibility
- Forms for preliminary and final reports of campaign revenues and expenses
- Form on nominations and candidate speeches

E. FILING DEADLINE

Nominations of candidates for any of the nine (9) positions on the Executive Committee shall be filed in writing with the NEA executive director no later than April 15 of the year in which the election is to take place. This deadline shall not apply to elections conducted to fill midterm vacancies.

NEA Bylaw 6-1.b.

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.

F. CAMPAIGNS

1. Campaign Period

Distribution and display of campaign literature shall be restricted to the year of the nominee's candidacy.

NEA Standing Rule 11.B.1.

The official campaign period for an executive officer or Executive Committee position will begin following the reading of the titles of the constitutional amendments for vote by the following year's Representative Assembly and will terminate upon the adoption of the final report of the Elections Committee the following year.

2. Announcement of Candidacy

Prospective candidates for executive officer or Executive Committee positions may file their intention to seek office with the Committee on Constitution, Bylaws, and Rules at the Representative Assembly one year prior to the Representative Assembly at which they will stand for election. The names of persons who have filed with the Committee by the close of the seventh business meeting will be announced by the chairperson of the Committee on Constitution, Bylaws, and Rules at the eighth business meeting following the reading of titles of constitutional amendments for vote the following year. Photographs and biographical material about announced candidates will be printed in the final issue of *RA Today*, the Representative Assembly newspaper.

Distribution and display of campaign literature shall be restricted to the year of the nominee's candidacy.

NEA Standing Rule 11.B.1.

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.

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 is in session, provided that this prohibition shall not apply to the wearing of T-shirts, hats, pins, buttons, and the like.

NEA Standing Rule 11.B.3.

If a candidate chooses to distribute a flyer or other handout one year prior to the election, the following restrictions will apply:

- (1) Campaign literature may be distributed to delegates outside the Assembly floor after the final item of business on the Representative Assembly agenda (*i.e.*, the reading of titles of the constitutional amendments for vote the following year).
- (2) Requirements for distribution of materials, including the prohibition of such materials "within 25 feet of entrances, exits, stairs, escalators, and elevators in the convention facility

or within 25 feet of the shuttle bus stops at the convention facility” will be enforced to ensure the safety of delegates. (Also see section III.F.8.f.)

- (3) Application of these requirements will be determined by the Committee on Constitution, Bylaws, and Rules year to year, based on the physical limitations of the facility in which the convention is held. The Committee will provide information to candidates about these requirements at the briefing for candidates before the Representative Assembly and when prospective candidates file their intention to seek office. The committee will also answer questions at the podium while the Representative Assembly is in session.

3. Campaign Revenue and Expenses

No money or resources of NEA, an NEA affiliate, a labor organization, an employer, or an 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 executive office or other Executive Committee 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. 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 is 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 representatives 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 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:

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

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

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.

Costs paid by NEA for the production and/or distribution of the following do not need to be reported by candidates as campaign expenditures:

- The candidate statements described in section III.F.5.b.; and
- Candidate brochures that comply with the requirements outlined in section III.F.5.c.(1);

Such materials are distributed by NEA on an equal basis for all candidates and therefore do not serve to promote any particular candidate over another.

5. Activities Prior to Annual Meeting

a) Producing and distributing campaign materials

Production and distribution by a candidate or a candidate's representative of written, printed, or other campaign materials constitutes a legitimate campaign activity, and actual expenses so incurred must be reported as campaign expenditures.

b) Candidate statements in *NEA Today* and convention program

Candidates for executive office or membership on the Executive Committee may file their intention in writing with the executive director of the NEA, along with a picture and candidate statement. The executive director of the NEA shall publish in an NEA publication sent to Active

members the picture and candidate statement of each candidate who has filed and presented such statement by March 15. The eligibility of such candidates shall be verified prior to publication. *NEA Standing Rule 11.B.2.*

Candidate statements not exceeding 125 words and candidate photographs received by March 15 are printed in the pre-convention issue of *NEA Today* as well as the convention program. Statements received before May 1 are printed in the convention program.

The content of the candidate statement will be left to the discretion of the candidate, provided that the content complies with legal requirements and therefore is subject to review by the NEA Office of General Counsel. (See section III.F.5.e.)

If a candidate whose statement is printed in *NEA Today* wishes to have a different statement printed in the convention program, it must be received by NEA's Center for Governance by May 1.

c) **Mailing of campaign materials**

(1) Candidate Brochures in advance mailing to delegate

The Association shall mail to all delegates a brochure, no larger than 8 ½ by 11 inches, for each candidate for executive office or membership on the Executive Committee with the candidate's approval. Subject to legal requirements, the content of the brochure shall be determined by the candidate, who shall provide the Association with camera-ready art for the brochure. Such artwork shall be received at the NEA headquarters building no later than May 1. The Association shall pay printing, mailing, and handling costs for such brochure.

In the event candidates choose to have printed their brochure for distribution to all delegates in the one-time mailing, the brochure shall be one (1) page, no larger than 8 ½ by 11 inches; shall be supplied in sufficient number for all delegates; and shall be received at NEA Headquarters by May 15. There shall be no charge to such candidate for inclusion in the mailing. *NEA Standing Rule 11.B.2.*

Candidates have two choices with regard to the printing of the brochure. For either choice, materials must be sent to the attention of the NEA Center for Governance at NEA headquarters and received by the stated deadline:

Option A: Candidates may provide NEA with camera-ready art for the brochure by May 1, in which case NEA will pay printing, mailing, and handling costs. Any brochure paid for by NEA will be printed in black and white and will be one (1) page, no larger than 8 1/2 by 11 inches and no more than 500 words.

Option B: Candidates may print their own brochures and provide NEA with a sufficient quantity for mailing to all delegates by May 15. In this event, NEA will pay only the cost of handling and mailing the brochures to delegates. A brochure printed by the candidate for mailing by NEA will be one (1) page, no larger than 8 1/2 by 11 inches and no more than 500 words, and will be printed on a stock no heavier than a 24 lb. bond (60 lb. offset).

The content of a brochure prepared pursuant either to *Option A* or *Option B* will be determined by the candidate, provided the content complies with legal requirements and therefore is subject to review by the NEA Office of General Counsel. (See section III.F.5.e.)

If NEA, after reviewing a brochure prepared pursuant to *Option A*, determines that a statement or some aspect of the brochure's artwork does not meet legal requirements for printing by the Association, staff will be made available to assist the candidate in developing a suitable alternative.

Candidates who choose to print their own brochures for mailing by NEA pursuant to *Option B* will submit a rough design and proposed text of the brochure to the NEA Center for Governance no later than April 15 for review by the NEA Office of General Counsel as described above.

If such a brochure does not comply with the specifications set forth above under *Option B* or if the content of said brochure does not meet NEA legal requirements, NEA will so notify the candidate and will advise that the Association will not pay handling and mailing costs. If the candidate requests that NEA proceed with the mailing at the candidate's expense, NEA will bill the candidate for handling costs (if any) and postage within fourteen (14) days after mailing; the candidate must render payment prior to the election.

A candidate may exercise either *Option A* or *Option B* but not both options.

(2) Mailing to delegates at candidate's expense

As a matter of law, a labor organization must comply with any reasonable request by a candidate to distribute campaign material. Accordingly, a candidate may choose to print campaign material and request that NEA mail copies to all delegates at the candidate's expense. Such mailing may be either in addition to *Option A* or *B* described above or as an alternative to *Option A* or *B*.

NEA will determine how the campaign material will be mailed, provided that the candidate has the right to request that the material be mailed separately. In providing this service to candidates, NEA will rent a post office box to which any undeliverable pieces will be returned. Material to be mailed will carry the post office box number as the return address. NEA will bill the candidate for the costs of postage, labor, envelopes if necessary, running and affixing of labels, and imprinting the post office box number on the pieces of mail. NEA will not provide mailing labels directly to any candidate.

Candidates will be billed within fourteen (14) days of the mailing and must render payment before the election.

(3) Mailing to NEA members and affiliates at candidate's expense

Preceding the mailing to delegates, NEA will mail campaign literature to members and/or affiliates at the request of a candidate. NEA will rent a post office box, to which any undeliverable pieces will be returned. Material to be mailed will carry the post office box number as the return address. Mailings will be at the candidate's expense and will be provided upon request of a candidate to the NEA Center for Governance in writing and in sufficient specificity to enable NEA to estimate the cost of the mailing. NEA will notify the candidate of the estimated cost of the mailing. The estimate will include computer time, clerical handling,

inserting, running and affixing of labels, postage, envelopes if necessary, and imprinting the post office box number on the pieces of mail as the return address.

NEA will not provide mailing labels directly to the candidates. Candidates will be billed within fourteen (14) days of the mailing and must render payment before the election.

d) Content of materials

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

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. The number of words in the disclaimer will not count against the word limit applied to the candidate's submission. The candidate's submission must also include some text; it may not consist exclusively of photos or artwork. The candidate's submission may not contain profanity or unlawful content, such as defamatory statements or copyright or trademark infringement.

A candidate and/or designee may challenge the determination of NEA staff that materials proposed by the candidate for production and/or distribution by NEA are unacceptable. This challenge will be heard by the Committee on Constitution, Bylaws, and Rules in accordance with procedures approved by the NEA Executive Committee. (See section III.F.5.f.) A challenge to the NEA staff determination on campaign materials will be presented to the NEA Committee on Constitution, Bylaws, and Rules and the decision of the committee will be final.

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.

e) Procedure for challenging NEA staff determination on candidate's materials

Candidates will notify NEA Governance and Policy Support that they wish to challenge the staff determination referenced in Section III.F.5.e. Such notice must be given by the close of business of the NEA workday immediately following the day on which a candidate is informed of the staff determination.

Within three (3) workdays after the above notice is given, the NEA Committee on Constitution, Bylaws, and Rules will, at its option, hold a meeting or a telephone conference call to deal with the challenge. The Committee will attempt to schedule the meeting or telephone conference call at a time convenient for the candidate.

Before the meeting or telephone conference call, NEA's Center for Governance will transmit a copy of the campaign material in question to each committee member.

During the meeting or telephone conference call, the candidate will have an opportunity to explain to the Constitution, Bylaws, and Rules Committee the basis for the challenge to the staff

determination and an NEA employee responsible for the staff determination will have an opportunity to explain that determination.

After the conclusion of the meeting or telephone conference call, the Committee will decide whether the campaign material is acceptable. NEA's Center for Governance will notify the candidate of the Committee's decision by the close of business of the NEA workday immediately following the day on which the meeting or telephone conference call is concluded.

To comply with the requirements for distribution of campaign material in the NEA Standing Rules and throughout this document, the timelines in the above procedure will be strictly adhered to. The Committee may extend a timeline only for good cause.

NEA will conduct a briefing in conjunction with the February meeting of the NEA Board of Directors to familiarize candidates and campaign managers with election rules and regulations, particularly those relating to the content of material. The briefing will involve appropriate staff from the Office of General Counsel, Center for Governance, and Conference and Facilities Management, and will give candidates and campaign workers an opportunity to raise questions about campaign-related issues. NEA will notify all announced candidates and their campaign managers about the meeting. NEA will not be responsible for expenses incurred in attending the meeting.

6. Campaigning at NEA Functions other than Representative Assembly

NEA will provide a complimentary registration to each candidate for an executive office or Executive Committee position for each of the following NEA meetings and conferences:

- Leadership Summit
- Two Minority Leadership Trainings/Women's Leadership Trainings
- The Education Support Professional Conference
- The Higher Education Conference

Candidates planning to campaign at a conference must contact the conference coordinator in advance of the event to indicate their intention to attend and to discuss their planned campaign activities.

Campaign activities at an NEA function (meeting, conference, social event, and so forth) must be incidental to the function and must not intrude on the planned program. Campaigning may take place before or after the function and between sessions (for example, at meal breaks).

For example, a candidate's campaign workers may place materials at the places of participants or observers before the opening of the meeting or may distribute material at the entrance of the meeting room. A campaign worker may not distribute campaign material once the meeting has begun or announce a campaign-related activity from the podium while the meeting is in session.

A candidate for an executive office or Executive Committee position may request a table and meeting room at NEA headquarters for campaign purposes in conjunction with any meeting of the NEA Board of Directors. Requests should be directed to NEA's Center for Governance.

7. Campaigning at the Annual Meeting

a) Information on state delegations

To assist candidates in communicating with the delegates, NEA will provide each candidate with a profile of the state delegations. By May 15, NEA will solicit from each state affiliate information regarding the size of its delegation to the Representative Assembly, scheduled meetings, key concerns of members, and special delegation rules. NEA Conference and Facilities Management will compile this information and disseminate it to candidates by mid-June.

b) 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.

c) 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.

8. 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 provided to candidates at a meeting in February prior to the election, 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 exhibit hall or in the lobby area. All candidates for executive office or Executive Committee positions will be eligible to have two (2) adjacent booths—each 10 feet by 10 feet—without rental cost. NEA will provide basic equipment for the candidate booths at no expense to the candidates.

In the case of candidates for executive office or the Executive Committee, the basic equipment consists of the following:

- Two (2) six-foot draped tables
- Four (4) chairs
- Two (2) easels
- One (1) wastebasket

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

- (2) 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.
- (3) Under the supervision of the chairperson or designee of the Committee on Constitution, Bylaws, and Rules, a special drawing for the selection of booth spaces will be held in connection with the May meeting of the Board of Directors. According to an order obtained in a random drawing, candidates or their designees will make their selections of specially designated booth spaces on the exhibit floor plan.
- (4) All candidate booths in the exhibit hall will be allocated by random drawing in May. Candidates not present at the May drawing must designate someone to participate on their behalf in the selection activity.
- (5) Candidate booths are subject to the rules and regulations that govern all other exhibits.
- (6) 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 make sure that aisles are not blocked around the booth.
- (7) No candidate may assign, sublet, or share the assigned booth space. Candidates may not use any other booths for campaigning.
- (8) No balloons are permitted in the convention facility.
- (9) No decals or adhesive-backed stickers may be distributed or used in the convention facility.
- (10) 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 center. The easels are included in the basic equipment provided for the candidate in the candidate booth. For safety, easels must not obstruct the flow of traffic in the area.

- (11) No poster may exceed 2 feet by 3 feet in single or combined display in the convention facility.
- (12) Candidates are responsible for the removal of their posters from the convention facility. If a 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.
- (13) Booths for the candidates will be set up as part of the regular NEA commercial exhibits, and campaigning in the exhibit area will be confined to the official exhibit hours. Booths may be set up on the day before the first day of registration. Exhibits open with the beginning of registration and close at 11:00 a.m. on the first day of the Representative Assembly.
- (14) Candidate booths will be reviewed periodically to ensure their conformity with the requirements.
- (15) Campaigning at the convention site will terminate with the close of the exhibits. After the close of exhibits, NEA Conference and Facilities Management will arrange for candidates to continue to disseminate materials. Candidate booths will be located in the convention center in clearly visible areas not in view of the polling places. Each booth will be marked with the candidate's name and office being sought. Candidates may continue fundraising activities at the lobby booths until the end of the Annual Meeting.

d) Storage space

Because campaign material cannot be stored in the exhibit area, storage space at the convention site will be made available, as feasible, to each candidate upon request to NEA Conference and Facilities Management. Requests must be made no later than May 1.

e) 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.

f) 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 photographs displayed on video screens must submit an electronic file of their 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.

g) 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 facility. Members of the host committee will be on duty to monitor the flow of traffic.

h) 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.

i) Removal of materials

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

9. Campaigning at Delegate Hotels

a) 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, complete lists will not be available for distribution until mid-May.

b) Hospitality rooms

Candidates who wish to request a hospitality room must do so on a form contained in the candidate notebook provided by NEA Conference and Facilities Management. Candidates must submit their requests for hospitality rooms by no later than June 1.

Conference and Facilities Management will assign each candidate a hospitality room in public space of an appropriate convention hotel. Rooms will be assigned at no rental cost to the candidates. All items such as room service charges, gratuities, labor costs, and charges for damage, are the responsibility of the candidate. If a hotel is unable to provide a hospitality room for every candidate running for a particular executive office, or for every candidate running for the other positions on the Executive Committee, then none of the candidates running for that office shall receive one.

The assigned hospitality rooms will be located in hotels as close to the convention facility as possible. Hospitality rooms will be used solely for hospitality purposes and not as accommodations.

All hospitality rooms must be used in accordance with the rules of the assigned hotel.

G. ELECTIONS

1. Nominations and Candidate Responses

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 IV, Section 3 . . . and Article VI, Section 1 of the Constitution.

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 a 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.

Standing Rule 11.B.6 provides for two lotteries—one to determine the order of nominations and the other to determine the order of responses of 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.

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

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.

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 section III.F.7.b.)

2. Placement of Names on the Ballot

The names of the candidates are 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 is permitted to have an observer at the polls during tabulation of the ballots and at the preparation and mailing 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 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 executive officer or Executive Committee member 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 occurring by reason of death, resignation, incapacity, judgment of impeachment, or other disqualification shall be filled as follows:

- a. A vacancy in the office of President shall be filled by the Vice President.
- b. If, during the first or second year of a term a vacancy in either the office of Vice President or the office of Secretary-Treasurer occurs, such vacancy shall be filled by the Board of Directors, which shall elect a successor to serve until the next meeting of the Representative Assembly. The Representative Assembly shall then elect a successor for the remainder of the term. In the event a vacancy occurs during the third year of a term, the Board of Directors shall elect a successor for the remainder of the term.

NEA Constitution, Article IV, Section 5.

The Executive Committee shall be authorized to fill vacancies in its body until the next Representative Assembly.

In the event a vacancy occurs in the office of Executive Committee member within sixty (60) days prior to the start of the Representative Assembly, said vacancy shall be filled by direct election at the Representative Assembly.

NEA Bylaw 6-3.

If a vacancy occurs – *i.e.*, a midterm vacancy – or may occur – *i.e.*, a potential vacancy – in one of the positions elected by the Representative Assembly between regular elections, NEA will, where possible, announce the midterm vacancy or potential vacancy as early as possible by electronic means and in publications mailed to all members. The following procedures will apply, where feasible, in the event of a midterm vacancy or potential vacancy in the offices of Vice President, Secretary-Treasurer, or Executive Committee member.

In the event of a midterm vacancy or potential vacancy, NEA will not provide information about the position to anyone until it has notified all NEA members of the vacancy. NEA will provide such notification in appropriate NEA publications (*e.g.*, *NEA Today*, *Higher Education Advocate*) and on the NEA Web site. This restriction will not preclude dissemination of information about the vacancy to the Association’s institutional components, including state affiliates, official bodies, and caucuses. In addition, general information on elections and campaign rules and regulations will continue to be available to any member upon request at any time.

NEA will not accept official filing forms for the midterm vacancy or potential vacancy until after it has notified all members via the appropriate NEA publications and the NEA Web site. For purposes of this section, notification of all members shall occur when NEA distributes the publications in question or posts the notice on its Web site, whichever is earlier.

To the extent that timelines permit, the support services available to candidates in a regular election will apply to candidates for a midterm or potential vacancy. The Committee on Constitution, Bylaws, and Rules will modify such services as appropriate for application to candidates filing for such a vacancy, with the understanding that unless a specific deadline makes it impossible to provide a service to a candidate, any services provided to one candidate will be provided to all candidates for that office.

In the event of a potential vacancy, members may indicate their intent to file as candidates before NEA makes an official announcement of such a vacancy. All campaign materials on behalf of such members must carry a disclaimer stating “. . . in the event of a vacancy”

The April 15 filing deadline does not apply in the case of elections for vacancies that occur between regularly scheduled elections.

The foregoing provisions related to midterm or potential vacancies are designed to equalize, to the greatest degree possible, the treatment of all candidates. The Association, however, can neither control nor be responsible for an advantage that may accrue to persons who may become aware of a vacancy or a potential vacancy before it is officially announced.

I. EX OFFICIO DELEGATE STATUS OF OFFICERS AND THE EXECUTIVE COMMITTEE

Election to executive office or to the Executive Committee shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.
NEA Constitution, Article III, Section 3.b.

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

May 2018 – Revised by the NEA Board of Directors