

**GUIDELINES AND PROCEDURES GOVERNING ELECTIONS
OKLAHOMA EDUCATION ASSOCIATION
2018-2019**

The Guidelines and Procedures Governing Elections set forth the guidelines applicable to elections authorized by the Constitution and Bylaws of the Oklahoma Education Association (hereinafter "OEA"). The Board of Directors has formulated the responsibilities of the Elections Committee as follows:

The committee conducts all elections of the Association with written guidelines, prepares ballots, supervises voting, acts as judge of the election, and performs other appropriate duties.

The Elections Committee (hereinafter "Committee") is a standing committee of the OEA and accountable to the OEA Board of Directors. An overriding concern of the Committee is the establishment of election procedures that conform to the Constitution and Bylaws of the OEA, promote an understanding of competing rights and responsibilities of candidates for OEA governance and Delegate positions, and provide a procedurally sufficient and straightforward framework for authorized elections.

SECTION 1. ELIGIBILITY TO VOTE AND SEEK OFFICE

a. Applicants for the positions of President, Vice President and NEA Director must have been Active members of the Association for at least two (2) membership years immediately preceding the election. For the purposes of qualifying for 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.

Members of the Association in good standing are eligible to vote and seek office in accordance with the Constitution and Bylaws of the OEA.

b. The Elections Committee Chair or designee(s) will verify the membership of the applicant who, through completion of the filing form and proper delivery to the OEA, has declared an intent to seek office. Any applicant who does not appear to be a member of the OEA at the time of validation of membership shall be promptly notified by telephone of any apparent ineligibility to seek elective office. In the event any dispute regarding eligibility is not satisfactorily resolved by telephone, the applicant will be promptly notified by certified mail, return receipt requested, of his/her ineligibility to hold office or be considered as a candidate. The notice of ineligibility shall state the reason for the determination regarding eligibility.

c. OEA Active Life Members who are not members of NEA can only file and/or vote for OEA positions to the OEA Delegate Assembly.

SECTION 2. FILING FOR POSITIONS

a. The filing period for the positions of President, Vice President and NEA Director shall commence on July 15 and shall continue to the first (1st) Friday in October. The filing period for all other positions filled by election

shall commence on February 1 and shall continue to the third (3rd) Friday in February.

b. Filing by applicants must be on the official filing form designated by the Committee and approved by the Board of Directors. Filing forms are available for the following offices: President, Vice President, NEA Director; OEA Board of Directors - Zone Directors, Administrator-at-Large; NEA Delegates-at-Large - Retired, Categories I and II; OEA Delegate-at-Large - Retired, Ethnic Minority and Administrator.

Filing forms are available at the OEA Headquarters in Oklahoma City, at the regional offices and on the OEA website.

c. Positions filled by election, for purposes of these guidelines:

OEA BOARD OF DIRECTORS POSITIONS:

- President/NEA Director Alternate/NEA Delegate
- Vice President/NEA Director Alternate/NEA Delegate
- NEA Director/OEA Board of Directors Zone Directors/NEA Delegate at end of 1st & 2nd years of term
- Administrator-at-Large

OEA DELEGATE ASSEMBLY POSITIONS:

- OEA Administrator Delegate(s)-at-Large to OEA/DA
- OEA Ethnic Minority Delegate(s)-at-Large to OEA/DA
- OEA/NEA Retired Delegate(s)-at-Large to OEA/DA

NEA REPRESENTATIVE ASSEMBLY POSITIONS:

NEA Category I Delegate(s)-at-Large to NEA/RA

NEA Category II Delegate(s)-at-Large to NEA/RA if membership numbers qualify
NEA Retired Delegate(s)-at-Large to NEA/RA

d. The applicant shall print or type his/her name exactly as the name appears on the membership form. Applicants may indicate, in the space reserved on the filing form, how they wish to have their name appear on the ballot. The use of quotation marks, brackets and parentheses will be prohibited on the official OEA Ballot.

e. Filing forms must be returned to the OEA headquarters office in Oklahoma City, Oklahoma, by one of the following: certified mail with return receipt requested, overnight Express Mail with return receipt, email with the completed filing form attached, or filing by FAX is acceptable. Filing forms must be received in the OEA Oklahoma City office by the first Friday in October for the positions of President, Vice President and NEA Director, and by the third Friday in February for all other open positions and must be mailed, emailed or Faxed to the attention of the Elections Committee.

f. Each applicant is responsible for confirming receipt by the OEA of his/her filing form. The Elections Committee strongly recommends that applicants phone the OEA and personally confirm receipt of the form.

g. Upon verification that all guidelines have been met, the applicant becomes a candidate.

h. Each candidate for office will be mailed confirmation of receipt of the filing form and a copy of the Guidelines and Procedures Governing Elections by the OEA.

This information may be supplemented, at the option of the Committee, by the OEA Constitution and Bylaws and any other information that may be beneficial to the candidate.

SECTION 3. BALLOTS

a. The third (3rd) Saturday in February following the close of all filing periods, the Elections Committee will meet to verify the filing forms and to draw for ballot positions. The drawing for ballot positions will be held at 11:30 a.m. on that date. A candidate or designee may participate in the drawing for the candidate's position on the ballot. In the absence of the applicant, a member of the Elections Committee will draw for individual candidates.

b. A facsimile of the ballot(s) for elections will be available for inspection by the first (1st) Saturday in the month immediately following the close of filing period, and may be examined by any member in good standing.

c. All candidates for office will have the opportunity to provide OEA with a head photograph and short (75 word limit) biography to use on a special elections webpage. These items must be provided no later than the close of their respective filing period. The Elections Committee has the right to refuse any pictures or biographies that may be controversial in nature. A link to the webpage will be sent out with all elections materials and will be available alongside the "vote" button on the OEA website.

SECTION 4. ONLINE VOTING AND TABULATION

a. Online voting will be available to all

members beginning the third Monday in March and ending on the last Friday in March unless that provides less than two weeks for voting in which case it will end on the first Friday in April. The OEA Board will designate an official "OEA Election Day" during this window.

b. The Committee is responsible for the certification of election results.

SECTION 5. RUN-OFF ELECTION

a. Election, except as otherwise discussed, to any elective office in this Association shall be by simple majority vote of the members voting. If no candidate receives a majority, there shall be a run-off vote between the two (2) candidates who receive the highest number of votes. If the run-off results in a tie, the winner will be determined by a lot in such manner as the President of OEA shall prescribe. In the case of the election for the NEA Delegate-at-Large and the OEA Delegate-at-Large, election shall be determined by a plurality of the members voting.

b. In the event of a run-off election, the candidate shall retain the position on the ballot that corresponds to his/her position in the primary election.

c. Run-off elections shall be completed by the affected members by on-line voting within the timelines set by the Elections Committee.

SECTION 6. ADMINISTRATOR-AT-LARGE

a. The election for the position of Administrator-at-Large to the OEA Board of

Directors shall be a secret ballot election. Filing of candidates for the position of Administrator-at-Large shall comply with the filing requirements set forth in Section 2.

b. Participation in the Administrator-at-Large election shall be restricted to those individuals who are active members of the OEA and who have marked an Administrator Code on the OEA/NEA/Local Association Continuous Enrollment form.¹

c. Candidates for the Administrator-at-Large position shall have the same rights of notice of election results and the same right of appeal as candidates in other elections.

SECTION 7. NEA RETIRED DELEGATE-AT-LARGE

a. The election for the positions of NEA Retired Delegate-at-Large to the OEA Delegate Assembly and NEA Retired Delegate-at-Large to the NEA Representative Assembly shall be a secret ballot election. Filing of candidates for these positions shall comply with the filing requirements set forth in Section 2.

b. Participation in the NEA Retired Delegate(s)-at-Large election shall be restricted to those individuals who are unified members.

c. Candidates for the NEA Retired Delegate(s)-at-Large position(s) shall have the same rights of notice of election results and the same right of appeal as candidates in other elections.

¹ The Administrator Codes OEA/NEA/Local Association Continuous Enrollment Form are: Principal/Assistant Principal, Superintendent/Assistant Superintendent, Supervisor/Director

SECTION 8. CATEGORY I DELEGATE(S)-AT-LARGE TO NEA-RA

a. Delegates shall be allocated to an OEA geographic area comprised of zones in the ratio of one for each 1000 NEA Active members provided that every geographic region shall receive a minimum of three delegates.

The allocation of Category I Delegate(s)-at-Large to the NEA Representative Assembly positions to be elected in geographic areas will be determined by the OEA membership numbers in each geographic region as of January 15 of each election year.

b. The election for Category I Delegate-at-Large to the NEA Representative Assembly shall be a secret ballot election by geographic area. Filing of candidates for these positions shall comply with filing requirements set forth in Section 2.

c. In the event an elected delegate cannot attend, a successor delegate elected in the same manner shall be selected in the order of the total number of votes received to attend as the delegate.

d. The term of the Category I Delegate-at-Large position shall be one year and to attend the NEA Representative Assembly in the year elected. A member elected as a delegate for this one year position, whose education position (category or zone) changes prior to the Representative Assembly to which he/she was elected will not be eligible to serve in that category.

SECTION 9. CATEGORY II DELEGATE-AT-LARGE TO THE NEA REPRESENTATIVE ASSEMBLY

(Determination of a Category II delegate will be dependent upon NEA figures provided after January 15 of each election year.)

- a. The election for the position of NEA Category II Delegate-at-Large to the NEA Representative Assembly shall be a secret ballot election by all NEA Active and Life members. Filing of candidates for this position shall comply with filing requirements set forth in Section 2.
- b. Members eligible to file in the Category II Delegate-at-Large election shall be restricted to NEA Active members who are supervisors and NEA Retired Life Members.
- c. In the event an elected delegate cannot attend, a successor delegate elected in the same manner shall be selected in the order of the total number of votes received to attend as the delegate.
- d. The term of the Category II Delegate-at-Large position shall be one year and to attend the NEA Representative Assembly in the year elected. A member elected as a delegate for this one year position, whose education position (category or zone) changes prior to the Representative Assembly to which he/she was elected shall not be eligible to serve.

SECTION 10. UNCONTESTED ELECTION

At the close of the period for filing, in accordance with Section 2, if only one candidate has filed for any office, the candidate is elected and the President shall announce his/her election.

SECTION 11. NOTICE AND PUBLICATION OF ELECTION RESULTS

- a. Each candidate will be informed of the election results in the following manner;
 - 1. Informal notification of election results will be by telephone to candidates for President; Vice President; NEA Director; all Board of Director positions - Zone Directors and Administrator-at-Large.
 - 2. Written notification of election results of races in which the candidates are participating will be provided to all candidates after all races are tabulated by the Elections Committee. The President; Vice President; NEA Director; Board of Directors - Zone Directors and Administrator-at-Large candidates shall be notified of election results by certified mail, return receipt requested. Candidates for the OEA Delegate-at-Large and NEA Delegate-at-Large positions will be notified of election results by first class mail.
- b. Preliminary results shall be posted on the OEA website the day after the election committee meets along with a disclaimer of the protest period. Election results shall be declared official after the expiration of the protest period provided that there is no protest to the election.
- c. Immediately following the declaration of official election results, the Elections Committee shall make tabulation by zone of the results in elections involving the OEA President, Vice President, NEA Directors, and OEA Board of Directors. This tabulation shall be reported to the OEA President for distribution and for publication in an official OEA publication. All other election results shall be promptly reported to the OEA President. The President shall determine the distribution and/or manner of publication of other election results.

SECTION 12. PROTEST PROCEDURES

a. Protest before the voting period ends:

A candidate for office may file a protest with the Elections Committee if the candidate believes that the procedures set forth in this document were not followed. The protest must be filed on or before the voting period ends.

A protest must be in writing and must contain a concise statement of the reason for the protest and the action or relief which is requested by the candidate making the protest. Protests must be directed to the attention of the OEA President and mailed by certified mail, return receipt requested postmarked no later than the date the voting period ends. The chair of the Elections Committee shall call a special meeting of the Elections Committee within five (5) days of the receipt of the protest in which to consider the protest and to determine whether the Elections Committee will deny or affirm the protest. A decision to affirm the protest must include a statement of appropriate relief to remedy any irregularity in procedure governing the election.

b. Protest after the voting period has closed:

A losing candidate may also protest the outcome of an election. Protests must be directed to the attention of the OEA President and mailed by certified mail, return receipt requested and received in the OEA office ten days after the close of the election voting period. In this event, the chair of the Elections Committee will notify members of the Committee and will also notify, by mail and by phone, candidates in the election in which the protest has been filed. The chair of the Elections Committee shall also call a special meeting of the Elections Committee within five (5) days of the receipt of the protest in which to consider the protest and to

determine whether the Elections Committee will deny or affirm the protest. A decision to affirm the protest must include a statement of appropriate relief to remedy any irregularity in the procedure governing the election or in the election outcome. If the committee affirms the protest, it may adopt the relief requested in the protest or it may fashion any other relief it deems necessary or proper.

c. After considering the protest the Elections Committee will, within five (5) calendar days of its meeting regarding the protest, enter its decision and will transmit a copy of its decision to the OEA President, the candidate filing the protest, and to all other candidates involved in the election in which the protest was filed. The decision of the Elections Committee will be final unless that decision is appealed to the OEA Board of Directors. The OEA President will assume responsibility for notifying the Board of Directors of the protest and of any decision of the Elections Committee with regard to the protest.

d. Any candidate desiring to appeal the decision of the Elections Committee to the OEA Board of Directors must do so within five (5) days of receipt of the notification of the Committee's decision. An appeal to the Board of Directors is initiated by sending a notice of appeal to the OEA President. The notice must be by certified mail, return receipt requested, or the candidate may hand-deliver the appeal to the OEA President. A copy of the notice of appeal must be mailed, by first class mail, to the Chair of the Elections Committee. A failure to file the appeal as specified in this provision will operate as a waiver of any right to appeal the decision of the Elections Committee. The candidate is responsible for guaranteeing receipt of the appeal to the President of OEA.

e. The President of OEA shall be responsible for notifying affected candidates, the OEA Board of Directors, and the Chair of the Elections Committee of any appeal to the Board of Directors. The appeal shall be heard by the OEA Board of Directors at a time and in the manner specified by the Board. The decision of the Board of Directors shall be final. Any appeal to the Review Board shall be limited to the questions of the Board's compliance with the Constitution and Bylaws of the OEA.²

SECTION 13. OTHER RULES AND PROCEDURES

a. Candidates for OEA elective office may purchase mailing labels for use by the candidate in this campaign for office. Any official candidate requesting mailing roster labels of OEA membership must assume the prevailing costs and pay in advance for staff time, materials, and postage for mailing. Checks shall be made payable to the OEA. Candidates must allow at least two weeks for delivery. Requests for mailing labels shall be made by the candidate to the Executive Director.

b. Dues money, whether from the local affiliate, the OEA, or the National Education Association, shall not be used to finance any election campaign. Individual members may contribute to a candidate campaign.

c. NEA Standing Rule 10-E provides that no portion of dues money at the local, regional, state or national level shall be used to promote the candidacy of any individual for an NEA office. The OEA President, Vice

² The Review Board is the judicial body of the OEA and is empowered to review, upon request, an action of the OEA Board of Directors or Delegate Assembly regarding consistent application of the OEA Constitution and Bylaws.

President, and OEA Category I Delegate(s)-at-Large are elected as NEA Representative Assembly Delegates when they are elected to their state positions and, therefore, must comply with this provision.

d. General distribution of any type of printed material used for campaigning must list the source and sponsorship. Campaigning or distribution of materials, set up displays, tables, etc., are permitted at Association sponsored conferences or meetings. No campaign materials may be distributed in any way within meeting rooms. The Association may prohibit the distribution of any information that is disruptive or offensive.

e. A candidate for OEA office may not use for campaign purposes any service, including online service, to which the candidate has access as the result of the expenditure of any resources by OEA or its affiliates. Online services include, but are not limited to, OEA/NEA Wide Area Network, local area networks established by OEA/NEA or its affiliates.

A candidate may use for campaign purposes any electronic equipment or service to which he/she has access without the expenditure of any resources by OEA or its affiliates, provided that the candidate may not receive any assistance in such use from any individual who at the time of providing the assistance is receiving compensation from NEA/OEA or its affiliates. A candidate has complete control over the content of messages that he or she transmits on such equipment or service.

No candidate may remove a campaign message placed by another candidate on the NEA Online message boards. OEA may prohibit all candidates from placing any campaign messages on NEA Online message boards, provided candidates receive notice of

such prohibition and the prohibition is enforced in a uniform manner.

f. In all matters governed by these Guidelines, the Elections Committee retains the authority to administer the guidelines in accordance with the responsibilities outlined by the Board of Directors and in compliance with the Constitution and Bylaws of the OEA.

CONCLUSION

The OEA recognizes the importance of elections in determining the leadership of the Association. Every effort has been made to develop procedures and guidelines which afford members of the Association an opportunity to seek office and to cast their vote for the candidates of choice. If you have questions concerning the Guidelines and Procedures, please call OEA at 1-800-522-8091.

2/04, 4/06, 6/09, 4/10, 4/13, 4/14, 12/15,
12/16