

# Education Minnesota Election Rules

*Approved by Governing Board – Feb. 26, 2021*



**THE VOICE FOR PROFESSIONAL  
EDUCATORS AND STUDENTS**



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## Preface

It is the purpose of these Election Rules to create an enforceable body of rules, to assure fair and equitable treatment of all candidates, and to provide an orderly and fair procedure for the resolution of campaign and election conflicts and problems.

The Election Rules is a living document that grows out of the election experience. Each year the Elections Committee reviews election activity, takes suggestions from candidates and members, and makes recommendations to the Governing Board for any necessary or desired changes in the Election Rules.

These Election Rules are written for and in compliance with the Federal Landrum- Griffin Act, which ultimately governs elections in public unions with private sector members. These Election Rules will be revised as necessary to be appropriate for elections conducted in succeeding years.

# Education Minnesota Bylaws Article VII, Elections

## Section 1. Filing:

Filing for office for elected positions shall occur as follows:

- Candidates for President, Vice President, Secretary-Treasurer, and NEA Director shall file for office by submitting a filing form to the Education Minnesota Elections Committee no sooner than June 1 and no later than the second Friday in December of the year preceding the election.
- Candidates for other Governing Board positions shall file for office by submitting a filing form to the Education Minnesota Elections Committee no sooner than the first Monday in November and no later than the second Friday in December of the year preceding the election.
- In any given election year, a member may be a candidate for only one of the following positions: President, Vice President, Secretary-Treasurer, NEA Director. In any given election year, a member may not be a candidate for more than one other Governing Board position. In elections called to fill vacancies in one or more of these positions, a member may be a candidate for only one such position.

## Section 2. Eligible Candidates:

To be an eligible candidate for the position of Officer, Governing Board-At Large, Governing Board-Election District, NEA Director, or NEA RA State-Credentialed Delegate, an individual must be an active Education Minnesota member at the time of filing and remain an active Education Minnesota member at all times throughout the election process.

## Section 3. Terms of Office:

The terms of the NEA Director positions shall be as provided by the NEA. The terms of the three (3) officers and other Governing Board members are three (3) years, beginning on July 1 of the year of the member's election and ending on June 30 three (3) years later.

## Section 4. Election Cycle:

Elections shall occur pursuant to the following schedule:

Year 1. Three (3) officers, one (1) Governing Board member from each Election District, and any NEA Director position(s) requiring election this year.

Year 2. Eight (8) at-large Governing Board members, one (1) higher education/ statewide affiliate Governing Board member, two (2) ESP Governing Board members, and any NEA Director position(s) requiring election this year.

Year 3. Any NEA Director position(s) requiring election this year.

## Section 5. Balloting:

To be elected, a candidate for an elected position governed by these bylaws must receive a majority of the votes cast for that position. Neither proxies nor absentee voting shall be allowed. Elections shall be by secret ballot.

However, if the number of candidates on any ballot in any race is equal to or less than the number of positions to be filled, the candidate shall be declared elected.

## Section 6. Run-off Elections:

In any race where a candidate does not receive a majority vote in the first ballot, the Elections Committee shall conduct a run-off election between or among those candidates who received the most votes. The number of run-off candidates shall be limited to the number of seats to fill plus one. The Elections Committee shall place the run-off candidate names on the ballot in order of a random draw.

## **Section 7. Elected Position Limit:**

A member may hold no more than one elected position governed by these bylaws at any given time. An incumbent elected to another position must resign from his/her incumbent position before or at the time the term of his/her newly elected position begins.

## **Section 8. Vacancies:**

Vacancies on the Governing Board shall be filled as follows:

- The Vice President shall assume the office of President and complete the unexpired term when that office becomes vacant or the President is unable to fulfill those duties.
- Vacancies in the office of Vice President or Secretary-Treasurer shall be filled temporarily by the Governing Board by any method that the Governing Board shall determine, until the next Representative Convention, when an election shall be conducted to complete the unexpired term.
- NEA Directors shall be elected by the Representative Convention as their current terms expire or as vacancies occur.
- Vacancies in any other Governing Board positions elected by the Representative Convention shall be temporarily filled by the Governing Board by any method that the Governing Board shall determine.
- In the case of a vacancy in a Governing Board position elected by an Election District, the Governing Board shall fill the vacancy by any method that the Governing Board shall determine, including by conducting a special election in that Election District to fill the vacancy until the next regularly scheduled Election District election.

# General Election Rules – All Elections

## I. Filing

### A. *Filing for NEA RA State Credentialed positions shall be as follows:*

1. Nominations for NEA RA State Credentialed delegate or NEA RA State Credentialed delegate-Category 2 shall be made by submitting a signed filing form to the Office of the Elections Committee no sooner than the first Monday in November and no later than the second Friday in December.
2. Nominations for NEA RA State Credentialed delegate-Student shall be made by submitting a signed filing form to the Office of the Elections Committee no sooner than the first Monday in November and no later than February 15th.

### B. *Filing forms will be published in the official Education Minnesota publication and on the Education Minnesota website, and will be available from the Office of the Elections Committee. Filing forms must be received by the closing date specified to be valid.*

## II. Eligible Voters

### A. *At the Representative Convention:*

1. Only voting delegates who are active members of Education Minnesota shall be eligible to vote on Education Minnesota offices.
2. All voting delegates shall be eligible to vote on the NEA Director position.
3. All positions shall be elected by a majority secret ballot vote.

### B. *In the Election District:*

1. Active members from each local within each Election District shall be eligible to vote for their Education Minnesota Governing Board position and NEA RA State Credentialed delegate(s).
2. Governing Board members shall be elected by a majority secret ballot. NEA RA State Credentialed delegates shall be elected by a plurality secret ballot vote.

### C. *By Membership Category:*

1. Only active student members as of February 15 of the election year shall vote in student elections for NEA RA State Credentialed delegates-Student.
2. Only Category 2 members whose NEA Life Only record has been assigned to Minnesota shall vote in Category 2 elections.
3. Each position shall be elected by a plurality of votes.

## III. Voting Procedures

### A. *At the Representative Convention: Voting delegates who are active members of Education Minnesota as of February 1 of the election year shall receive their ballot by showing their delegate badge and placing their signature on a sign-up sheet in the presence of an election teller.*

### B. *In the Election District: Active members of Education Minnesota as of February 1 of the election year must accept the official ballot at the polling site by placing their signature on a sign-up sheet in the presence of an election teller; or if ballot distribution is used, a voter must place his or her signature on a sign-up sheet in the presence of an election teller when the ballot is returned. At the discretion of the Education Minnesota Elections Committee and upon approval of the Education Minnesota Governing Board, Election District elections may be conducted through an online election during the designated election date(s) and time(s).*



- C. *By Membership Category: Eligible voters will be mailed a ballot that must be returned to Education Minnesota by the designated election date. At the discretion of the Education Minnesota Elections Committee and upon approval of the Education Minnesota Governing Board, the student elections for NEA RA State Credentialed delegates-Student may be conducted through an online election, in lieu of a mail ballot, during the designated election date(s) and time(s).*

IV. Election Procedures – **SUPPLEMENTAL RULES REQUIRED – See p. 10 and pp. 16-17**

A. *Voting periods shall be established as follows:*

1. The Governing Board shall establish a voting period at the Representative Convention that is announced to all members at their last known home address at least fifteen (15) calendar days in advance of the voting. Notice shall contain a listing of offices to be voted on and the date/place of the voting.
2. The Governing Board shall set a 15-day window consisting of five (5) working days in three consecutive weeks as the uniform election dates to be observed throughout the state in Election District elections.
3. The Governing Board shall set the election date(s) for Student and Category 2 elections.

B. *All elections conducted at the state or Election District level shall comply with the Federal Landrum-Griffin Act.*

C. *Printed ballots will be provided unless an online election is held pursuant to these Rules. Order of the names on the ballot shall be done by random draw conducted by the Elections Committee or its designee. A state-provided ballot that has been altered in any manner shall be declared invalid.*

D. *Official ballots shall make no provision for write-in candidates.*

E. *No proxy or slate balloting shall be allowed in any races.*

F. *Unless an online election is held pursuant to these Rules, ballots shall be machine counted under the supervision of the Elections Committee. Machine ballot counts shall be the official totals. In any race where an election results in a challenge or a tie vote or a machine count is not possible due to a technological or mechanical failure, the Elections Committee may hand count ballots and these totals shall then be the official totals.*

G. *The Elections Committee will review all spoiled ballots to determine their validity.*

H. *Candidates are permitted to have as many observers as necessary to observe the voting and the counting of ballots. All observers must be authorized in writing by the candidate. During the vote count, only members of the Elections Committee and authorized observers of the candidates shall be allowed in the room.*

I. *A ballot or ballots cast that result in questions arising over eligibility or legality shall be considered “challenged ballots.”*

1. If a member's eligibility is questioned prior to voting, the member shall be allowed to cast a secret ballot that is held separately in a sealed envelope marked “Secret Ballot” and placed in a larger outer envelope marked “Challenged Ballot” until eligibility has been resolved.
2. “Secret Ballot(s)” shall not be counted and final results not certified until the issue is resolved. Further, so as to not influence decisions regarding the challenged ballots, the results shall be known only to Elections Committee members and designated staff. In addition, no results shall be released until the challenge has been resolved.

J. *Election results will be certified by the Education Minnesota Governing Board or Education Minnesota Representative Convention delegates upon completion of the ballot counting and results presented by the Elections Committee.*

K. *All documents relating to all elections conducted by the state shall be retained for one (1) year by the Office of the Elections Committee.*

- V. Election Procedures Challenges – **THERE ARE NO GENERAL RULES. SUPPLEMENTAL RULES REQUIRED – See p. 10 and pp. 18-20**
- VI. Campaign Practices – **SUPPLEMENTAL RULES REQUIRED – See pp. 10-14 and p. 20**
- A. *No dues money or resources of the local, intermediate organization or statewide affiliate levels or from another organization shall be used to promote the candidacy of any individual on a state-provided ballot. No monies or resources from any outside organization shall be used to promote the candidacy of any person as noted above.*
  - B. *No employer may either directly or indirectly contribute to or promote the candidacy of any individual on a state-provided ballot.*
  - C. *No governing body of a local, intermediate organization or statewide affiliate of Education Minnesota may officially endorse or promote a candidate. Local or state officials may support or campaign for a candidate but not on union time.*
  - D. *No publication of a governing body of Education Minnesota or of a local, intermediate organization or statewide affiliate of Education Minnesota shall either sell or endorse campaign ads for any elections conducted by the Elections Committee.*
  - E. *At a time designated by the Elections Committee, for in-person events, one piece of campaign material for each individual delegate or member may be placed in the meeting area of the Education Minnesota Representative Convention or in the meeting area of any session convened or sponsored by Education Minnesota. Materials shall only be a single sheet no larger than 8½" X 11". Such prohibition is not intended to apply to any meeting convened under the sponsorship of a local, intermediate unit or statewide affiliate. Such entities may establish rules of their own as long as they provide fair and equal access to all candidates.*
    - 1. All printed campaign materials must bear the identification of the person(s) who prepared the material using, as appropriate either:
      - a. *Prepared and paid for by (candidate) for (position). OR*
      - b. *Prepared and paid for by the Committee to elect (candidate) for (position), (name), Committee Chairperson.*
    - 2. All non-printed campaign materials must identify the person(s) who prepared the material using, as appropriate, either:
      - a. *Prepared and paid for by (candidate) for (position). OR*
      - b. *Prepared and paid for by the Committee to elect (candidate) for (position), (name), Committee Chairperson.*
    - 3. Identification of all non-printed campaign material requires a written description attached thereto or prominently posted at the point of distribution.
  - F. *A candidate must obtain written permission prior to using a member's name or picture in any campaign literature.*
  - G. *No candidate may use the picture or name of current Education Minnesota staff members in any campaign materials. Such prohibition is not intended to apply to the use of pictures or names of current or former Education Minnesota Officers in campaign materials.*
  - H. *No candidate may be invited to address a local, intermediate organization or affiliate meeting unless an invitation is extended to the same meeting to all candidates for the same office.*
  - I. *The use of any school electronic technology (e.g., fax, voice mail, email, district/school networking sites, etc.) shall not be allowed. For example, the use of school technology, school-provided technology or school-compensated technology to send or to receive campaign materials is unlawful and shall not be allowed.*

*J. At any meeting or event convened or sponsored by Education Minnesota, where display space has been approved by the Elections Committee, each candidate will be provided uniform space for his or her campaign displays and/or materials. The amount of space will be indicated to candidates prior to the event. When possible, each candidate will be provided a table and chairs for the space. All campaign displays/materials must be contained within the provided space.*

VII. Campaign Practice Challenges – **THERE ARE NO GENERAL RULES. SUPPLEMENTAL RULES REQUIRED – See pp. 14-15 and p. 21**

# Required Supplemental Rules – Representative Convention Elections: Officer, Governing Board-At Large and NEA Director

- IV. Election Procedures, continued – **See General Rules, pp. 6-7**
  - L. *The Representative Convention delegates shall certify the results. Following the certification action, the Education Minnesota official publication shall publish the results. The results, which will account for all ballots cast in the election, will be published on the official Education Minnesota website.*
- V. Election Procedures Challenges – **THERE ARE NO GENERAL RULES.**
  - A. *Any member qualified to vote may challenge the election procedure employed by the Elections Committee. The voting delegates to the Representative Convention are empowered to process said challenge.*
  - B. *All challenges must be filed in writing with the Office of the Elections Committee. All challenges must be filed prior to the time the Elections Committee announces the results of the voting.*
  - C. *The written challenge must identify the specific election procedures, rule or rules violated. No other basis for challenge shall be recognized as a valid challenge within the purview of these rules.*
  - D. *Every challenge shall clearly and concisely state the remedy to correct the alleged irregularity.*
  - E. *The voting delegates of the Representative Convention may on their own initiative determine that the challenge is groundless and shall issue such decision. Alternatively, the voting delegates receiving such challenge may determine that one or more alleged violations have occurred, in which case an immediate correction of the irregularity and/or re-balloting shall occur. In the event of intervention, the voting delegates of the Education Minnesota Representative Convention shall be the final authority as to the ultimate disposition of the challenge.*
- VI. Campaign Practices, continued – **See General Rules, pp. 7-9**
  - K. *Active campaigning for the position sought shall not begin before submitting a signed filing form to the Office of the Elections Committee. Campaigning shall cease at the start of balloting at the Representative Convention. "Active campaigning" does not include candidate search, formation of a campaign committee, or fundraising activities.*
  - L. *Education Minnesota will honor all reasonable requests to distribute campaign literature.*
  - M. *Assistance to Officer candidates shall be provided after the filing period has closed, except as noted in number three below: At no cost, an officer candidate shall be provided:*
    - 1. One set of mailing labels of local presidents and statewide affiliate campus presidents.
    - 2. The names, addresses, and personal phone numbers of local presidents and statewide affiliate campus presidents in an electronic format.
    - 3. Candidates who have filed for office shall be provided space at the following Education Minnesota events when held in person: Summer Seminar, Minnesota Educator Academy, Collective Bargaining and Organizing Conference, and the Representative Convention. The Elections Committee may, but is not required to, approve other Education Minnesota-sponsored events for campaign space if a candidate requests such an event for consideration.
    - 4. One set of mailing labels of Representative Convention delegates and alternates. Upon request additional labels will be provided.
    - 5. The names, addresses, and personal phone numbers of Representative Convention delegates and alternates in an electronic format.
    - 6. The names, addresses, and personal phone numbers of late registrant delegates and alternates to the Representative Convention in an electronic format the Friday prior to the Representative Convention.

7. Inclusion in a listing of candidates in the Education Minnesota official publication and on the Education Minnesota website prior to the convening of the Convention. Such listing shall include a picture and/ or 500-character statement consistent with Education Minnesota communications guidelines. (Addendum A, p. 22)
  8. Inclusion in a Voter Guide made available to delegates. Candidates may include a picture and/or a 500-character statement consistent with Education Minnesota communications guidelines. (Addendum A, p. 22)
  9. Speaking time of five (5) minutes for candidates running for the position of President and three (3) minutes for candidates running for the positions of Vice President and Secretary Treasurer at the Representative Convention, the time and format to be determined by the Governing Board. Candidates may use the audio-visual equipment that is provided at the Convention subject to the rules provided by the Elections Committee.
  10. In the event of a run-off, each candidate will be allowed an additional two (2) minutes of speaking time.
  11. Space and designated time for each candidate to greet and talk with delegates prior to voting at an in-person Representative Convention.
  12. Candidates and/or individuals may not post or hand out any materials except in the area/time designated to greet and talk with delegates except as provided in the General Election Rules, Article VI, "Campaign Practices," paragraphs E and K.
  13. Space on the Education Minnesota website for a candidate's webpage consistent with the Education Minnesota communications guidelines. (Addendum B, p. 23)
- N. Assistance to Governing Board-At Large candidates shall be provided after the filing period has closed:*
1. Upon request to the Elections Committee, mailing labels of local presidents and statewide affiliate campus presidents.
  2. The names, addresses, and personal phone numbers of local presidents and statewide affiliate campus presidents in an electronic format.
  3. Upon request to the Elections Committee, mailing labels of Representative Convention delegates and alternates will be provided.
  4. The names, addresses, and personal phone numbers of Representative Convention delegates and alternates in an electronic format.
  5. The names, addresses, and personal phone numbers of late registrant delegates and alternates to the Representative Convention in an electronic format the Friday prior to the Representative Convention.
  6. Inclusion in a listing of candidates in the Education Minnesota official publication and on the Education Minnesota website prior to the convening of the Convention. Such listing shall include a picture and/ or 300-character statement consistent with Education Minnesota communications guidelines. (Addendum A, p. 22)
  7. Inclusion in a Voter Guide made available to delegates. Candidates may include a picture and/or a 300-character statement consistent with Education Minnesota communications guidelines. (Addendum A, p. 22)

8. Speaking time of 90 seconds at the Representative Convention, the time and format to be determined by the Governing Board.
  9. Space and designated time shall be granted to each candidate at an in-person Representative Convention to greet and talk with delegates prior to voting.
  10. Candidates and/or individuals may not post or hand out any materials except in the area/time designated to greet and talk with delegates except as provided in the General Election Rules, Article VI, "Campaign Practices," paragraphs E and K.
- O. *Assistance to NEA Director candidates shall be provided after the filing period has closed, except as noted in number three below:*
1. Upon request to the Elections Committee, mailing labels of local presidents and statewide affiliate campus presidents.
  2. The names, addresses, and personal phone numbers of local presidents and statewide affiliate campus presidents in an electronic format.
  3. Candidates who have filed for office shall be provided space at the following Education Minnesota events when held in person: Summer Seminar, Minnesota Educator Academy, Collective Bargaining and Organizing Conference, and the Representative Convention. The Elections Committee may, but is not required to, approve other Education Minnesota-sponsored events for campaign space if a candidate requests such an event for consideration.
  4. Upon request to the Elections Committee, mailing labels of Representative Convention delegates and alternates.
  5. The names, addresses, and personal phone numbers of Representative Convention delegates and alternates in an electronic format.
  6. The names, addresses, and personal phone numbers of late registrant delegates and alternates to the Representative Convention in an electronic format the Friday prior to the Representative Convention.
  7. Inclusion in a listing of candidates in the Education Minnesota official publication and on the Education Minnesota website prior to the convening of the Convention. Such listing shall include a picture and/ or 300-character statement consistent with Education Minnesota communications guidelines. (Addendum A, p. 22)
  8. Inclusion in a Voter Guide made available to the delegates. Candidates may include a picture and/or a 300-character statement consistent with Education Minnesota communications guidelines. (Addendum A, p. 22)
  9. Speaking time of two (2) minutes at the Representative Convention, the time and format to be determined by the Governing Board.
  10. Space and designated time shall be granted to each candidate at an in-person Representative Convention to greet and talk with delegates prior to voting.
  11. Space on the Education Minnesota website for a candidate's webpage consistent with the Education Minnesota communications guidelines. (Addendum B, p. 23) Candidates and/or individuals may not post or hand out any materials except in the area/time designated to greet and talk with delegates except as provided in the General Election Rules, Article VI, "Campaign Practices," paragraphs E and K.
  12. Space on the Education Minnesota website for a candidate's webpage consistent with the Education Minnesota communications guidelines. (Addendum B p. 23)

## VII. Campaign Practice Challenges – **THERE ARE NO GENERAL RULES**

### A. *Prior to the Representative Convention:*

1. Any challenge alleging a violation of the campaign practices shall be filed in writing with the Office of the Elections Committee Chairperson. A challenge filed prior to the convening of the Representative Convention shall be investigated by the Elections Committee. Challenges to campaign practices occurring prior to the convening of the Representative Convention must be filed prior to the convening of the Convention.
2. Pursuant to its authority, the Elections Committee shall meet and review every challenge to determine whether one of its rules has been violated.
3. Should the Elections Committee find that a candidate is in violation of campaign practices, the Elections Committee may recommend to the Governing Board disciplinary action, which may include, but not be limited to, disqualification of the candidate.
4. A candidate may appeal the decision of the Elections Committee regarding campaign practices occurring prior to the Representative Convention.
  - a. *Any appeal must be taken within 48 hours of notice of the decision by filing a Notice of Appeal with the Executive Committee of the Governing Board.*
  - b. *The Notice of Appeal must state with particularity the portion of the decision deemed to be incorrect and must contain evidence illustrating the basis for the appeal.*
  - c. *Upon receipt, the Executive Committee shall meet and review the facts of the appeal. The Executive Committee shall have authority to uphold or to reverse the decision.*
  - d. *Upon decision of the Executive Committee, there shall be no further right of appeal.*

### B. *At the Representative Convention:*

1. Any challenge alleging a violation of the campaign practices at the Representative Convention shall be filed in writing with the Office of the Elections Committee. A challenge must be filed no later than the completion of balloting. Challenges filed during the Representative Convention shall be investigated by the Elections Committee and reported to the Representative Convention delegates for resolution. The Representative Convention delegates shall be the final authority as to the disposition of the challenge.
2. Pursuant to its authority, the Elections Committee shall meet and review every challenge to determine:
  - a. *Whether one of its rules has been violated, and*
  - b. *Whether such violation could have caused a different result.*
3. Should the Elections Committee find that a candidate is in violation of campaign practices, the Representative Convention may initiate disciplinary action which may include, but not be limited to, withdrawal of/billing for assistance, and/or disqualification of the candidate.

# Required Supplemental Rules – Election District Elections: Governing Board-Election District and NEA RA State Credentialed Delegate

## IV. Election Procedures, continued – **See General Rules, pp. 6-7**

L. *Elections for Governing Board-Election District and NEA RA State Credentialed Delegates may be held by paper ballot or through an online election.*

M. *The supplemental election procedures for paper balloting shall be as follows:*

1. Should school be closed due to an emergency (snow, etc.) on the designated election dates, said election must occur as soon as possible and ballots must be received by the Office of the Elections Committee in the provided pre-addressed return envelope before 4:30 p.m. of the Wednesday of the week following the last designated date in the 15-day window. The local Election Chairperson should notify the Office of the Elections Committee of the emergency closing and the actual date that the election will be conducted.
2. Balloting can be conducted between the hours of 6:30 a.m. and 8:00 p.m. on the local's designated election date(s). Each local is free to establish its own balloting procedures, but in no event shall the polls be open less than one (1) hour. Each local is free to establish its own election day(s) within the 15-day window.
3. Polling/return sites shall be established by each local. The local may choose to have a central polling place for the entire district or a polling/ return site in each building in the district, etc.
4. A candidate shall be entitled to have an observer present in each balloting site.
5. Ballots shall be returned to the Education Minnesota office in St. Paul and must be received before 4:30 p.m. Wednesday of the week following the last designated date in the 15-day window. Locals wishing to hand deliver ballots may do so by bringing them to the Education Minnesota office in St. Paul before 4:30 p.m. Wednesday of the week following the last designated date in the 15-day window.
6. The Local President or a designee of his or her choice shall be the local's Election Chairperson with responsibility to oversee all election procedures including:
  - a. *Receipt of the balloting materials.*
  - b. *Establishment of polling sites and hours and proper announcement of same to the local members.*
  - c. *Appointment of election tellers.*
  - d. *Providing a ballot box for deposit of the secret ballots.*
  - e. *Removing all campaign materials from the polling sites before and during balloting.*
  - f. *Returning all the sign-up sheets and ballots in a provided pre- addressed certification envelope that has been signed by the local Election Chairperson or an officer. All materials noted above must be returned to the Education Minnesota office on Sherburne Avenue and must be received before 4:30 p.m. Wednesday of the week following the last designated date in the 15-day window. In the event there is a challenge, the ballots could be declared invalid if all materials are not returned.*
  - g. *Processing and investigating of any challenge of the election procedures that originated in the local.*
7. The Local President/Election Chairperson shall appoint Election Tellers who have responsibility for monitoring all election procedures established in these Rules including:
  - a. *Requiring identified active members to place their signatures on a sign-up sheet acknowledging receipt/return of the official ballot.*
  - b. *Returning the ballots and sign-up sheets to the local Election Chairperson when polling is concluded.*



- N. *The supplemental election procedures for an online election shall be as follows:*
1. The Elections Committee will establish the days for the online election within the 15-day window set by the Governing Board.
  2. The Elections Committee shall oversee all online election procedures including:
    - a. *Establishment of online election system and proper announcement of same to the local members.*
    - b. *Processing and investigating of any challenge of the election procedures.*
- O. *The Office of the Elections Committee will notify all candidates of the electronic results being recommended to the Governing Board/Executive Committee for official certification. Candidates will have ten (10) days from the date the notification is mailed to file a challenge with the Governing Board/Executive Committee. There is no further right of challenge or appeal once official certification of the results has been completed by the Governing Board/Executive Committee.*
- P. *The supplemental election procedures for mail ballot elections shall be as follows:*
1. Education Minnesota will use the process outlined in the LMRDA requirements for mail ballot elections.
    - a. *Voting will be conducted by secret ballot. Each eligible voter will receive via US mail a voting packet that will contain a ballot, voting instructions, one blank secret ballot envelope, and one addressed, postage-paid envelope.*
    - b. *Write-in votes will not be accepted.*
    - c. *A complete schedule for the mail ballot process will be provided to the membership at least four weeks before ballots must be returned.*
    - d. *Membership lists will be updated before the ballots are mailed. Candidates have the right to inspect the membership list once in the thirty days prior to the election.*
  2. Post office boxes
    - a. *A special restricted-access post office box will be obtained by election officials, to be used solely for the receipt and storage of voted ballots. Postal officials will release ballots only to authorized union election officials and only at a specified time.*
    - b. *A second restricted-access post office box will be obtained for ballot packages returned undelivered. This post office box will serve as the return address on the ballot package mailed to members.*
    - c. *Election officials will notify candidates of the date, time, and place for the preparation and mailing of ballot packages; information about any ballot package remailing; the date, time, and place of the ballot pickup at the post office and tally; and their right to have observers at each of these activities. The notice will be given at least two weeks before ballots are scheduled to be printed.*
  3. Ballot counting
    - a. *The Elections Committee shall determine mail ballot election timelines, including when ballots must be received and when they will be counted.*
    - b. *Candidates have the right to observe or have observers present when ballots are counted.*
    - c. *Each candidate (or observer(s)) may be present for the ballot opening and counting. Observation of the ballot count(s) may be accomplished via a video conferencing platform.*
    - d. *Challenged ballots will be processed in accordance with the LMRDA requirements.*
    - e. *Election protests will be processed in accordance with the LMRDA requirements.*
    - f. *Candidates will be notified by email of the unofficial election results the same day the ballots are counted. All election results will be submitted to the Education Minnesota Governing Board for certification.*

V. Election Procedures Challenges – **THERE ARE NO GENERAL RULES.**

A. *LOCAL-LEVEL CHALLENGE*

1. Any member qualified to vote may challenge the election procedure employed by the local. The local's governing body, operating on behalf of its members, is empowered to process said challenge.
2. All challenges must be in writing and filed with the President of the local, except where the challenger is the local President, in which case the challenge shall be filed with any non-challenging officer of the local. If any officer of the local is involved in the challenge, the challenge shall be submitted to the Office of the Elections Committee.
3. The written challenge must specify the specific Election Procedures rule or rules violated. No other basis for challenge need be recognized by the local as a valid challenge within the purview of these rules.
4. The challenge shall be filed within 24 hours of the time of closing of the local polls on the election dates. In no event shall the local recognize under these rules a challenge that has not been filed within that time period. Every challenge shall contain a clear concise statement as to the remedy the challenger would prefer the local to apply to correct the alleged irregularity in following the Election Rules.
5. The local may on its own initiative determine that the challenge is groundless and shall issue such decision with its reasons stated within 24 hours of receipt of the challenge.
6. Alternatively, the local receiving such challenge may determine that one or more alleged violations have occurred, in which case such local shall have the opportunity to correct the procedure if possible before the election. If affected after the election, the Office of the Elections Committee shall be notified within 24 hours of the conclusion of balloting.
7. Any challenger not satisfied with the local's disposition of the challenge shall have the right to appeal the same challenge in writing with the Office of the Elections Committee within 48 hours of being notified of such disposition by the local.
8. Every such appeal shall include a concise statement indicating how the results could have been different if it were not for the alleged violation, but failure to do so shall not in and of itself invalidate the appeal.
9. The challenger shall notify the local at the same time the appeal is filed with the Office of the Elections Committee.
10. Pursuant to its authority, the Elections Committee shall meet and review every challenge appealed to that level including the response of the local to determine:
  - a. *Whether one of its rules has been violated, or*
  - b. *Whether such violation caused a different result, or*
  - c. *Whether or not a new election could theoretically bring about a different result than would otherwise be the case if the election were allowed to stand.*
11. The Elections Committee may dismiss a challenge that does not conform to these rules.
12. The Elections Committee may, at its own initiative, require the challenger and the local challenged to submit additional information or testify at a hearing before the Elections Committee solely for the purpose of determining whether the challenge has foundation sufficient to warrant further inquiry and disposition by the Committee. The decision of the Committee shall be final, except that the Governing Board may on its own motion issue a decision in lieu of an Elections Committee decision.

13. Prior to the issuance of any decision, the Elections Committee shall notify the President of Education Minnesota as to the nature of the challenge and the intended disposition. The President may cause the Governing Board to intervene, if the President determines that intervention is justified. In the event the President is involved in the challenge, the Office of the Election Committee shall notify the Executive Director, who shall refer the matter to the Governing Board.
14. In the event of intervention, the Governing Board shall be the final authority as to the ultimate disposition of the challenge.

**B. STATE-LEVEL CHALLENGE**

1. Any member qualified to vote or any authorized observer may challenge the election procedures used or the rulings of the state Elections Committee.
2. All challenges must be filed in writing with the Governing Board within forty-eight (48) hours of actual notice of the matter challenged.
3. The challenge must specifically identify the violation alleged and contain a clear and concise statement identifying the remedy desired.
4. The challenger shall concurrently notify the Office of the Elections Committee of the challenge filed by filing an identical statement with it.
5. The Governing Board shall meet and review every challenge raised by a member or an observer and shall respond to the challenger indicating:
  - a. *Whether one of its rules has been violated, or*
  - b. *Whether such violation caused a different result, or*
  - c. *Whether or not a new election could theoretically bring about a different result than would otherwise be the case if the election were allowed to stand.*
6. The Governing Board may in its discretion dismiss a challenge that does not conform to its rules or may decide to investigate more fully using a subcommittee of its members or other identified investigators.
7. The Governing Board may, at its own initiative, require the challenger and the Elections Committee challenged to submit additional information or testify at a hearing before the Governing Board solely for the purpose of determining whether the challenge has foundation sufficient to warrant further inquiry and disposition by the Board.
8. In the event of intervention, the Governing Board shall be the final authority as to the ultimate disposition of the challenge.

**VI. Campaign Practices, continued – See General Rules, pp. 7-9**

*L. Active campaigning shall not begin before submitting a signed filing form to the Office of the Elections Committee. Campaigning shall cease by midnight on the Friday preceding the opening of the 15-day window. "Active campaigning" does not include candidate search, formation of a campaign committee, or fundraising activities.*

*M. Assistance to Candidates: Candidates shall be provided, at no cost to the candidates, the following:*

1. Upon request to the Elections Committee, one set of mailing labels of local Presidents and statewide Affiliate Campus Presidents within their Election District.
2. Upon request to the Elections Committee, the names, addresses, and personal phone numbers of local Presidents and statewide Affiliate Campus Presidents within their Election District in an electronic format.
3. The opportunity to include a picture and/or a 300-character statement in the Education Minnesota official publication and/or on the Education Minnesota website consistent with the Education Minnesota communications guidelines. (Addendum A, p. 22)

VII. Campaign Practice Challenges – **THERE ARE NO GENERAL RULES**

- A. *Any challenge alleging a violation of the campaign practices shall be filed in writing to the Office of the Elections Committee. A challenge must be filed within 48 hours of the time the challenger learns of the alleged violation, but in no event must the Office of the Elections Committee recognize any challenge filed 48 hours after the cessation of active campaigning. The written challenge must specify the Guideline being violated.*
- B. *Pursuant to its authority, the Elections Committee shall meet and review every challenge to determine:*
  - 1. Whether one of its rules has been violated, and
  - 2. Whether such violation could have caused a different result from the result reported, and
  - 3. Whether a new election could theoretically bring about a different result throughout the state than would otherwise be the case if the election were allowed to stand.
- C. *Should the Elections Committee find that a candidate is in violation of campaign practices, the Elections Committee may initiate disciplinary action, which may include, but not be limited to, withdrawing of/billing for assistance, and/or a recommendation to the Governing Board to disqualify the candidate.*

## **(Addendum A) Photo and Statement Guidelines for Voter Guide**

The goal is to make submitting your statement and/or photo simple for you and in the electronic formats that will give you a neat, professional appearance when published. An orderly process for all candidates will reduce the chance for errors in publishing.

### **Deadline**

- No statements or photos will be accepted after the deadline.

### **Statements**

- Staff handles candidate statements as submitted in the character limit set by the Education Minnesota Election Rules – spelling, correct punctuation and grammar are the candidate's responsibility.
- Statements and photographs must be submitted electronically using the form located on the Education Minnesota website ([www.educationminnesota.org](http://www.educationminnesota.org)) in the Member Portal under the Elections tab. Complete the form that corresponds to the position for which you are a candidate. If you have trouble accessing or completing the form, please contact the Elections Committee at [elections.committee@edmn.org](mailto:elections.committee@edmn.org).
- To be published, statements must be submitted on or before the deadline.

### **Photographs**

- Photographs must be a high resolution (300 dpi or more)\* digital color photo of the candidate only. For a photo to look sharp and natural on paper, the resolution of the image is crucial.
- Hard copy photos will not be accepted.
- To be published, photographs must be submitted on or before the deadline.
- \*Resolution refers to the "dots (or pixels) per inch" when the image is printed.

## **(Addendum B) Education Minnesota website statements from candidates for Education Minnesota offices**

To provide equal access for members to statewide election information, Education Minnesota will provide on its website one web page for each candidate for Officers, NEA Directors and Governing Board at-large. Each candidate's page may include a statement from and photo of the candidate, and links to the candidate's personal e-mail address, personal website, and personal social networking sites.

This process will apply:

- Statements are encouraged to address the candidate's qualifications for office rather than critique other candidates' qualifications. Candidate statements will be viewable online only by active Education Minnesota members.
- Statements are limited to 3,000 characters.
- Statements and photographs must be submitted electronically using the form located on the Education Minnesota website ([www.educationminnesota.org](http://www.educationminnesota.org)) in the Member Portal under the Elections tab. Complete the form that corresponds to the position for which you are a candidate. If you have trouble accessing or completing the form, please contact the Office of the Elections Committee at [elections.committee@edmn.org](mailto:elections.committee@edmn.org). See next page for format and web writing best practices.
- The Education Minnesota Elections Committee will review all statements to ensure they meet procedural election guidelines adopted by the Governing Board.
- Education Minnesota will not be responsible for typographical or grammatical errors in submitted statements. Education Minnesota reserves the right to format the document appropriately for web use, but will not edit or proof content for errors.
- Candidates may submit one photo. Photos must be in jpg or tif format at 72 dpi resolution or higher. Education Minnesota will crop and size photos to ensure consistency. Address questions regarding technical suitability of your photo to the Office of the Elections Committee at [elections.committee@edmn.org](mailto:elections.committee@edmn.org).
- To adhere to federal laws, the statement may contain only a personal email address, not a school or work site address. Education Minnesota will also include a link to a candidate's personal website and personal social networking sites, which cannot be built or housed using school or employer resources.
- Candidates may include up to four individual testimonials of up to 500 characters each in addition to their 3,000 character statement. Testimonials will be published following the candidate's statement. Candidates must secure the author's written permission before publishing the testimonial.
- Candidate pages will be published online after approval by the Election Committee.
- Candidates will be allowed to revise their statements after publication online up to two (2) times by contacting the Office of the Elections Committee at [elections.committee@edmn.org](mailto:elections.committee@edmn.org).

## Statement format

- Please follow the format below for your candidate statement.
- Note that writing for the web differs from writing for printed materials in several substantial ways. To be most effective with your content, observe these best practices:
  - *Begin your statement with the most important information for readers.*
  - *Use short sentences and paragraphs. As a general guide, limit sentences to 20 words and paragraphs to four sentences.*
  - *Use subheads to break your content into sections by topic.*
  - *Use bulleted or numbered lists when possible (standard round or square bullets only).*
  - *Speak directly to the reader. Use an active rather than passive voice.*
  - *Limit your use of capital letters, italics and boldface type. Do not underline text.*

## Candidate statement

Please provide the following information for publication on Education Minnesota's website. All submitted statements will be reviewed by the Elections Committee

for suitability. Education Minnesota is not responsible for errors in statements submitted by candidates.

Name:

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Position running for:

---

Local/affiliate:

---

Job title:

---

Email address:

---

URL of personal website:

---

URL of social networking site(s):

---

Statement (3,000 characters or less):

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Testimonials:

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*Education Minnesota is an affiliate of the American Federation of Teachers,  
the National Education Association and AFL-CIO.*

4/2021

