

FEDERAL EDUCATION ASSOCIATION

2020-2021 Election Procedures

FEA Constitutional Amendment/Election of Officer

A. NOMINATIONS CHAIRPERSON

1. The President will appoint a Nominations Chairperson subject to the approval of the Board of Directors at the Summer Board meeting prior to the school year in which the election/Constitutional Amendment shall take place. Notification shall be made to the appointee within a week of the Board of Directors' approval.
2. Nomination Forms must be received by the Nominations Chairperson no later than October 1, 2020. Nomination forms may be scanned and emailed to the Nomination Chairperson at: FEAElections@gmail.com or sent by USPS mail. A GOVERNMENT SCANNER, COMPUTER OR EMAIL ADDRESS MAY NOT BE USED TO SCAN/EMAIL THE FORM. IF THE FORM IS SENT THROUGH THE NOMINEE'S DODEA EMAIL ADDRESS, THE FORM SHALL BE DECLARED INVALID BY THE NOMINATIONS CHAIRPERSON and the candidate will be instructed to resend the form through a personal email address.

A backup copy may also be mailed or faxed to the FEA Administrative Office, 1201 16th Street, NW, Suite 117, Washington, DC 20036. These backup forms must be received by the FEA Administrative Office on or by October 1, 2020. The FEA Washington office fax number is 202-822-7867.

DODDS/DDESS OUTLOOK EMAIL AND/OR GOVERNMENT COMPUTERS MAY NOT BE USED TO SCAN, SEND OR RECEIVE EMAILS AND FORMS FOR ELECTION PURPOSES. OUTLOOK MAIL is an internal government communications tool and cannot be used for internal union business. CANDIDATES MAY ALSO NOT USE FOR CAMPAIGN PURPOSES ANY ELECTRONICS/TECHNOLOGY THAT IS OWNED, PAID FOR, OR PROVIDED BY THE ASSOCIATION.

3. Upon receipt of a Nomination Form, the Nominations Chairperson shall email a packet to the candidate to include notice that the nomination has been received; a copy of the Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form (to be completed if such form was not received with the Nomination Form), a copy of the Election Procedures and a copy of the Campaign Rules.
4. The Nominations Chairperson, with assistance as needed from the Regional Offices and/or the FEA Administrative Office, shall certify that each

candidate meets the appropriate membership qualifications. The Nominations Chairperson shall prepare a list of candidates and shall keep this list of candidates in confidence. The Nominations Chairperson shall inform only the FEA staff administrator of elections of the list of candidates.

The Nominations Chairperson will advise the FEA staff administrator of elections of any candidates nominated by another person for whom Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Forms have not been received. Prior to releasing the list of the candidates, the staff administrator of elections will contact such candidates by email or telephone confirming acceptance of the nomination and requesting that an Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form be sent to the FEA staff administrator of elections immediately. The deadline for receipt of the Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form is October 16, 2020.

By October 26, 2020, the FEA staff administrator of elections will send the list of candidates to the Board of Directors, all FRSs, and all candidates. The list of candidates will be posted on the FEA Web Page (www.feaonline.org) and in the next FEA Journal.

The name of each candidate nominated and certified will be printed on the ballot unless a written communication of withdrawal from the candidate is received by the Nominations Chairperson no later than November 3, 2020.

B. ELECTION PROCEDURES

1. The FEA Administrative Office shall announce to the membership in the August FEA Journal, with sufficient prominence to be seen by all members, that a ballot by the membership will take place for the purpose of voting on an amendment to the FEA Constitution and electing officers. Additional general information about the election will be included in this publication, including details of the proposed constitutional amendment and where to obtain a Nominations Form.
2. The following specific information/materials will be mailed in election packets sent to all Local Presidents and FRSs:
 - a. Notice of Open Nominations and Election marked "TO BE POSTED";
 - b. Duties, terms, and requirements for the proposed office;
 - c. Official Nomination Forms (Self-Nomination and Nomination of Another Member);
 - d. Official Acceptance and Biographic Information Form/Mailing Label and Mail Restrictions Form;
 - e. The election schedule;

- f. A Constitutional Amendment information sheet including the current constitutional language, the proposed new language and an impact statement, and;
 - g. Notice to all Local Presidents and FRSs to 1). Announce to their members the opening of nominations, and 2) post/distribute all election-related materials in the exact same manner for any candidate that chooses to send materials directly to the FRS/Local President. FEA leaders may not use any government or association equipment to reproduce campaign literature.
3. The FEA Administrative Office shall send by email to all candidates as soon as possible, but no later than October 26, 2020, general election information and notice that:
- a. Their nomination forms have been received;
 - b. Their candidacy has been certified;
 - c. The FEA will assist them in the ways listed under candidate support;
 - d. They have a right, at their own expense, to have an observer present at the preparation and mailing of the ballots and at the tally of the ballots. Observers may not be current officers or staff of FEA.
 - e. They must follow the Campaign Rules and finance requirements.
 - f. They may elect, at their option, to use a specified U.S. mail house to print and mail their campaign literature rather than mail their materials through the MPS.
 - g. Two sets of mailing labels for the appropriate leadership.
4. The FEA Administrative Office shall send to all candidates by USPS mail as soon as possible, but no later than November 16, 2020:
- a. Two sets of mailing labels for the current active membership for their region, based on membership forms received in Washington by November 5, 2020, in zip code order. (Refer to Section C.3 regarding the appropriate use of the labels).
 - b. Candidates, who do not want one or more sets of membership labels, are encouraged to send a written notice to the FEA Washington Office by October 26, 2020, declining such labels.
5. By October 26, 2020, the Nominations Chairperson will forward the Nomination Forms and the Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Forms to the FEA Administrative Office. Using the information provided on each Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form submitted, the FEA Administrative Office shall prepare biographies for all candidates. These biographies will be included in the ballot packets and published in the FEA Journal.

6. The FEA Administrative Office will mail a Sample Ballot Packet to each FRS, Local President, and Area Director not later than December 18, 2020. Leaders who are candidates will not receive a Sample Ballot Packet. Local Faculty Representative Spokespersons, Local Presidents, and Area Directors are authorized to reproduce sample ballots for each member who has not received his/her ballot by January 15, 2021.
7. The FEA Administrative Office shall prepare and mail Ballot Packets. The order of candidates on the ballot shall be determined through a random draw by NEA personnel. The Ballot Packets shall be sent to the active membership by first class mail on December 18, 2020.

Each Ballot Packet shall contain the following items:

- a. Notice of election;
 - b. Official biographies of candidates;
 - c. A Constitutional Amendment information sheet including the current constitutional language, the proposed new language and an impact statement, and;
 - d. Instructions for voting;
 - e. Ballot;
 - f. Secret ballot envelope; and
 - g. One pre-addressed and postage franked return envelope, which includes spaces for the following: printed name, school, address, and signature. The signature will be used for verification of voting eligibility only.
8. All valid ballots received in Washington by the close of business February 17, 2021, shall be counted.

C. SUPPORT OF CANDIDATES

1. Candidates are restricted from using the FREE Military Postal System (MPS) for election purposes and; therefore, may not send any campaign literature through the free MPS. Using the free MPS for election purposes will be grounds to contest the election. Candidates may use the MPS only if appropriate postage is placed on each individual piece of mail.
2. Candidates may elect not to use MPS (with postage) and, instead, hire a specified mail house in the U.S. to print and mail their campaign materials. In order to protect the names and addresses of FEA members, the mail house will be determined by the FEA Washington office. Candidates may transmit their campaign materials in PDF format directly to the mail house by electronic mail. Candidates who use this option must contact the FEA Washington office for information on how to proceed.

The candidate must work directly with the mail house to coordinate their mailings. Candidates using the mail house have two options for the mailing of their materials:

OPTION A – The mail house will print and mail one flyer (single sided, black and white) to each FEA Active member on file with the FEA Washington office as of the date the labels are generated.

OPTION B – The mail house will print and mail an appropriate number of flyers (single sided, black and white) to DoDDS FRS's/DDESS Local Presidents. This number will be based upon the current estimate of FEA active membership and would be determined by FEA.

The FEA Washington office will provide one set of membership mailing labels and/or leadership labels to the mail house by electronic file. These labels are for the sole purpose of mailing campaign materials. These electronic labels remain the property of the FEA and may not be transmitted to the candidate. Each set of membership or leadership labels used by the mail house will be in lieu of one set of the same labels provided directly to the candidate as defined in B.4. of the election procedures.

Other than providing labels to the mail house for a candidate, FEA may not contact the mail house on behalf of the candidate for any reason (such as to assist in the mailing or discuss any disputes). This does not preclude FEA from communicating with the mail house for general guidance on election procedures.

A candidate is responsible for the entire cost (printing, envelopes, postage, labor, etc.) of the printing/ mailing and must arrange payment directly with the mail house. Candidates are fully responsible for making all arrangements for printing, mailing, etc. directly with the mail house. Should there be any negligence on the part of the mail house to accurately complete a candidate's mailing, there will be no recourse with FEA or challenges to the election. Candidates elect this option solely at their own risk.

Candidates are not allowed to make any modifications to the above mailing options.

3. Candidates may forward one campaign flyer to the FEA Washington Office for posting on the FEAonline.org Campaign Page. The FEA Washington office has the right to reject flyers that do not meet the requirements for campaign materials set forth in this document and the Campaign Rules. Campaign flyers must be submitted in PDF format. The flyer must be a maximum of one page (not double sided) and no larger than 8.5 x 11 inches. Flyers may not exceed 2 MB file size. The deadline to submit flyers to the

FEA Washington office is November 3, 2020. Flyers will be posted on December 11, 2020.

Candidates who submit a flyer will be notified if their flyer meets the guidelines. Candidates who do not meet the guidelines will be notified of the reason(s) their flyer failed to meet the guidelines. Candidates will then have the opportunity to make corrections and resubmit their flyer. Failure to submit a revised flyer that meets the guidelines/campaign rules by December 1, 2020, will result in the candidate's flyer not being posted.

Once a candidate is notified that their flyer meets the guidelines, no changes may be made to the flyer.

3. All labels mailed to the candidates are for the sole purpose of campaigning for the office sought. These labels remain the property of the Association. Any other use/misuse of the labels is strictly prohibited. In addition to civil liabilities, any misuse/abuse may result in disciplinary actions, including suspension/removal from office and/or suspension/removal from membership. No additional sets of labels, other than those outlined in these procedures, will be provided to the candidate.
4. Candidates understand that some members may have failed to notify FEA of updated addresses. Additionally, revisions to the final FEA membership roster are likely to take place AFTER the mailing labels are sent to candidates. As a result, candidates may have campaign materials returned to them as "undeliverable". Candidates may also be provided some addresses for individuals whose memberships are not renewed for SY 20-21. FEA is not responsible for reimbursing the candidate for returned materials or for materials sent to individuals whose memberships are ultimately found to be unrenewed.
5. In an edition of the FEA Journal, local FRSs, Stateside Local Presidents and leaders will be advised to post/distribute all campaign materials received in the exact same manner for each and every candidate. Candidates may identify individuals to distribute materials in identified schools.
6. Information on all candidates will be published in the FEA Journal prior to the mailing of the ballots according to the following procedures:
 - a. Each candidate will be asked to submit a picture, preferably a high-resolution head and shoulders shot. All pictures become the property of the Association and are not returnable. All photos must be sent via email to FEA at FEAelections@gmail.com. It is the candidate's responsibility to confirm that a photo has been received by the FEA Washington office. The pictures will be placed in the FEA Journal; all will be reduced or enlarged so they are the same size and will

accompany the appropriate text. Pictures must be received in the FEA Washington office no later than November 3, 2020.

- b. The pictures and candidate biographical information taken from the Official Acceptance and Biographical Information/Mailing Label and Mail Restrictions Form will be printed and mailed in the FEA Journal prior to the mailing of the ballots.

D. COUNTING THE BALLOTS

1. A neutral observer, fully versed in the tally procedures, will be appointed by the NEA to serve as the Tally Chairperson. The Tally Chairperson and at least two other persons shall make up the Elections Committee. Election Committee members must be non-candidates and non-FEA Governance. The Election Committee members shall be appointed by the FEA President.
2. The FEA Administrative Office will provide the Tally Chairperson with a complete and valid list of memberships received in the Washington office by the date of the tally. Members must have joined by January 18, 2021, to be eligible to vote.
3. The Elections Committee and assigned staff shall tally the ballots in Washington, D.C., on February 18, 2020. If necessary, the tally will continue on February 19.
4. The Tally Chairperson shall instruct all observers that their role is to observe only. They shall have the right to request a recount as provided below in Section F. Except for the staff assigned to count the ballots, no other staff or governance member shall enter the tally site.
5. The Tally Chairperson shall consider the Constitutional Amendment passed if the amendment has received a majority of the valid votes cast.
6. Only if the Constitutional Amendment passes shall the votes for the Officer election candidates be tallied.
7. The Tally Chairperson shall consider a candidate elected when that candidate has received a majority of the valid votes cast, in accordance with the preferential voting procedures.
8. The Tally Chairperson shall determine the validity of each ballot received for the tally. Those ballots that the Tally Chairperson determines are not valid must be accompanied with an explanation of why each ballot was determined to be invalid. This written explanation shall be included in the official certification sent by the Tally Chairperson to the President. The ballots shall be secured in a sealed box by the Tally Chairperson who will place his/her

signature across the box seal. The ballots will be stored in a secure storage area of the NEA building, pending request and outcome of challenge or recount.

9. The Tally Chairperson shall, within twenty-four (24) hours of the tally, provide written certification to the FEA President of the election results.
10. The FEA staff administrator of elections will send a full report of the election results to each candidate by February 26, 2021.
11. All ballots and tally sheets must be kept secured by the FEA Administrative Office for a period of at least one year after all challenges have been heard and acted upon.

E. REPORT OF ELECTION RESULTS

1. The Tally Chairperson, with the assistance of the FEA Administrative Office shall prepare a report to the Board of Directors. The report shall include the following information:
 - a. Results of the vote on the Constitutional Amendment:
 1. The total number of votes cast for/against the Constitutional Amendment;
 2. The total number of valid votes cast for/against the Constitutional Amendment;
 3. An explanation of why each invalid vote was judged to be invalid;
 4. The number of votes cast for/against the Constitutional Amendment to the lowest level of the organization required to file a Labor Management Report;
 5. The percentage of membership who voted by FEA Area of Local as appropriate under the Department of Labor reporting standards
 - b. IF the Constitutional Amendment passes, results of the Officer Election:
 1. The total number of votes cast for each candidate;
 2. The total number of valid votes cast for each candidate;
 3. An explanation of why each invalid vote was judged to be invalid;
 4. The number of votes cast for each candidate to the lowest level of the organization required to file a Labor Management Report;
 - c. IF the Constitutional Amendment fails, votes for the Officer Election will NOT be tallied
2. The Board of Directors shall vote to approve the President's election report at the first BOD meeting held after the tally has been completed, and all challenges and/or recounts have been heard and acted upon.

3. The election results will be posted in the FEA Journal before the end of the school year. Election results will also be posted on the FEA Web Page (www.feaonline.org).

F. RECOUNTS

1. The Elections Committee may conduct a recount in response to a request by a candidate or observer if the margin of victory is ten votes or less.
2. The Elections Committee may call for a recount in response to a request by either a candidate or an observer who alleges an impropriety in the voting or ballot counting procedure. If such a request is made, the Elections Committee must determine by majority vote to call for a recount. This decision will be conveyed to the affected candidates. In the event the Elections Committee denies a recount, the candidate may appeal to the FEA Board of Directors.

G. CHALLENGE PROCEDURES

1. All formal challenges must be in writing, signed by the challenger, and filed with the FEA Executive Director, following the instructions in G.2. and G.3.
2. The formal election challenge must be mailed, using certified mail with return receipt, and be postmarked no later than April 1, 2021, to: FEA Executive Director, 1201 16th Street, N.W., Suite 117, Washington, D.C. 20036. In addition, the challenge must also be emailed to FEAelections@gmail.com no later than April 1, 2021.
3. The formal election challenge **MUST** include the specific charge or alleged violation on which the claim is based. The formal election challenge **MUST ALSO INCLUDE** any and all of the grounds on which the challenge is based, together with any and all documents, communications, statements, information, or any other evidence to be considered.
4. The formal election challenge must also include a mailing address and telephone number at which the challenger can be contacted over the summer break, in the event that clarification and/or more information is required.
5. The Board of Directors will hear formal challenges to the election and make a final decision to any challenges.
6. Once internal FEA procedures have been exhausted, further appeals may be filed under the Civil Service Reform Act to the U.S. Department of Labor, Office of Labor Management Standards, 800 North Capitol Street NW, Suite 120, Washington, D.C. 20002-4244.

APPROVED BY THE FEA BOARD OF DIRECTORS

JUNE 2020

2020-2021 ELECTION TIMELINE

June/July 2020	Board sets election procedures. Board approves appointment of Nominations Chairperson.
By August 31, 2020	Notice of Election and general election information published in <u>FEA Journal</u> and posted on the FEA Website. Nomination Packets sent to all local presidents, FRSs and <u>BOD</u> .
October 1, 2020	Deadline for receipt of Nomination Forms.
October 5, 2020	Nominations Chairperson notifies FEA Administrative Office of the list of candidates.
October 16, 2020	Deadline for receipt of Official Acceptance and Biographical/Mailing Label and Mail Restrictions Form.
By October 26, 2020	FEA Administrative Office mails the list of candidates to the BOD, FRSs, and all candidates. Candidate list posted on FEA website. Nominations Chairperson forwards Official Acceptance and Biographic Information/Mailing Label and Mail Restrictions Form to the FEA Administrative Office. FEA Administrative Office sends all candidates notice of certification of their candidacy and election information. FEA sends all candidates two sets of mailing labels for the appropriate FEA leaders and guidelines for mailing campaign materials to leaders.
By November 3, 2020	Deadline for withdrawal of nomination if candidates do not wish to have their name printed on the ballot. Deadline for receipt in FEA Washington office of Candidate Picture. Deadline for FEA Washington office to receive Candidate Flyer.
By November 16, 2020	FEA Administration office sends all candidates two sets of labels for the currently reported Worldwide membership and guidelines for mailing campaign materials to members.
December 1, 2020	Deadline to submit REVISED flyer if candidate was notified that their flyer did not meet guidelines.
December 11, 2020	Candidate flyers posted on FEA website campaign page.
By December 18, 2020	FEA Administrative Office mails Sample Ballot Packet to FRSs, Local Presidents and Area Directors. FEA Administrative Office mails Ballot Packets to active membership.
January 15, 2021	Local Presidents, FRSs and Area Directors may reproduce ballots for those members who have not received theirs.
February 17, 2021	Deadline for receipt of ballots.
February 18 and 19, 2021	Votes tallied.

(continued next page)

February 19 or 20, 2021	Election results posted on FEA Website within 24 hours of tally. Candidates notified of the outcome at the time results are posted.
February 26, 2021	The FEA Administrative Office will send a full report of the election results to each candidate.
April 1, 2021	Deadline for filing election challenge.
May 1, 2021	Newly elected officer take office.