

**CAMPAIGN AND ELECTION REGULATIONS
for
WEA OFFICERS
and
NEA BOARD DIRECTORS**

This document describes election and campaign requirements for the office of
WEA President and Vice President as well as NEA Board Director

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Washington Education Association
PO Box 9100
Federal Way, WA 98063-9100

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INTRODUCTION

The WEA Constitution, Bylaws, and Standing Rules set forth basic requirements for candidates seeking positions as WEA Officers. The NEA Constitution, Bylaws and Standing Rules set forth basic requirements for candidates seeking positions as NEA Board Directors. The purpose of this campaign regulations booklet is to ensure that WEA Officer candidates and NEA Board Director candidates have all the information needed to comply with these requirements. Where relevant, the regulations quote passages from the WEA Constitution, Bylaws, and/or Standing Rules or the NEA Constitution, Bylaws, and/or Standing Rules. Where appropriate, those quoted passages are followed by additional discussion that fleshes out the provisions of the governing documents. Where no reference to WEA's or NEA's Constitution, Bylaws, and Standing Rules is cited, the WEA Board of Directors policy and/or the NEA Board of Directors policy and/or the Nominations and Election Committee provide information. Where there is no stated policy, WEA and its affiliates are subject to the Standard Code of Parliamentary Procedures adopted by the American Institute of Parliamentarians.

Each candidate is responsible for ensuring that all individuals working on behalf of his or her campaign are aware of and abide by these campaign regulations. If any unauthorized or prohibited campaign activity is conducted on behalf of the candidate, the candidate must notify the chairperson of the Committee on Constitution, Bylaws, and Rules, in writing, within forty-eight (48) hours of knowledge of the prohibited activity.

Any questions regarding the contents of this document should be referred to WEA's Nominations and Elections Committee.

I. DEFINITIONS

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

Affiliate shall mean, unless otherwise indicated, a local, council or state. This shall also include WEA-Retired and the WEA Student Membership.

Campaign expenses shall mean expenditures by a candidate for WEA office or NEA office or the candidate's representative or agent that have the purpose or effect of advancing the candidate's campaign for election to WEA office or NEA office, and shall include, by way of illustration and without limitation: money spent and other resources used to solicit voluntary contributions to the candidate's campaign; money spent for travel, meals, and lodging; money spent for printed material; money spent for mailing and other forms of distribution of printed material; money spent for campaign materials; money spent for operation of hospitality suites during the campaign period; and money spent on entertainment.

Campaign materials shall mean any document, electronic transmission, object, or other material that has the purpose or effect of promoting the candidacy of an individual for a WEA office or NEA office, and shall include, by way of illustration and without limitation, billboards, newspaper advertisements, audio-visual materials, emails, brochures, position papers, buttons, pins, articles of clothing, candy, posters, banners, signs, fans, pens, announcements, and invitations.

Campaign revenues shall mean financial contributions to a candidate for WEA office or NEA office or the candidate's representative or agent, and goods and/or services in-kind given or made available to the candidate or the candidate's representative or agent, by an individual or group of individuals for the purpose, or having the effect, of promoting the candidate's campaign for election.

Candidate shall mean a person running for WEA office or NEA office, unless otherwise indicated in this document.

Potential vacancy shall mean when a WEA office or NEA office would become vacant before the term of the current officeholder had expired, contingent on the occurrence of another event, such as when a current officeholder runs for another WEA elected office or NEA office and, if elected to that position, would no longer hold his or her current position even though the term had not expired.

Resources shall mean anything of value, including, by way of illustration and without limitation, money, services, use of facilities or equipment, or the like.

Term of office shall mean the period of time that a person elected to a WEA officer position is expected to serve in that position or a person elected to an NEA Board Director position is expected to serve in that position as set forth in the WEA Constitution or Bylaws and the NEA Constitution and Bylaws respectively.

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

II. IN GENERAL

A. ROLE OF LEADERS

Elected officers at local, state, and national levels retain their rights as Association members to participate in the affairs of the organization, including supporting and working on behalf of candidates for WEA or NEA office. Such campaign activities, however, may not occur during official Association functions and may not involve the expenditure of Association funds at any level—local, state, regional, or national. Accordingly, officers may not campaign on time paid for by an Association, nor may they use Association funds, facilities, equipment, personnel (working on Association time), stationery, newsletters, or any other Association asset to assist them in campaigning. For those on Association paid release time, it is important to establish that at least 37.5 hours a week were worked performing Association duties to show that any campaign time was outside of the scope of those Association duties. In the alternative, if personal leave time is guaranteed to Association release time leaders, leave may be taken.

A newsletter that contains the WEA or NEA logo, is paid for by WEA or NEA, and/or is prepared or distributed by a WEA or NEA Board Director or other WEA elected officer in the director's or officer's official capacity will not carry any reference to an election for WEA or NEA office unless the reference is a notice of the election or in the nature of a report on an item of business at a meeting of the Board of Directors or other official WEA or NEA meeting.

B. ROLE OF AFFILIATES

An affiliate is prohibited from using its name, logo, letterhead, or similar Association assets on behalf of the candidacy of any person. Except as otherwise provided in this section, an affiliate may not use its resources, directly or indirectly, to advance the candidacy of any person.

An affiliate may use its resources in a purely objective, nonpartisan way to provide information about all of the candidates for a particular office (*e.g.*, offices held, educational background, employment history, awards).

1. Mailing of Campaign Literature and Use of Mailing Labels

All reasonable requests to distribute campaign literature to every member of the affiliate, or a portion thereof, by mail or otherwise,¹ must be honored by the affiliate. Such distribution must be at the candidate's² expense unless the affiliate chooses to bear all or a portion of the expenses; if the affiliate so chooses to bear any expenses, it must treat all candidates for the same office equally and must notify them of the availability of such services. If distribution is at the candidate's expense, the affiliate must bill the candidate under its standard billing procedures.

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

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

² For purposes of this section, the term "candidate" means the candidate and anyone acting on his or her behalf or at his or her direction.

2. Interviewing Candidates

The membership, a governing body, or a special committee of an affiliate or group of affiliates may interview candidates³ for WEA or NEA office regarding their positions on issues. During the interview process, the members, governing body, or special committee may meet personally with the candidate or may review a questionnaire completed and submitted by the candidate.

If an affiliate permits the use of its assets for the interviewing of candidates, the interview process must be conducted equitably in a manner that accords all candidates equal treatment. In this context, use of assets includes the rental of a room, paying the expenses of candidates or committee members, use of the headquarters facilities for the interview, use of staff to arrange the interview, or any other type of technical or logistical assistance. To ensure fairness when the use of assets is involved, the interview process should meet the following conditions:

- a) All candidates must be given reasonable and adequate notice of the date(s), time(s), and place(s) of the interview(s). Preliminary communications with all known candidates may be initiated to determine the dates that would be convenient for the candidates, but no candidate should receive notification of the event significantly in advance of any other candidate, if possible. The affiliate must advise all candidates about the procedures to be followed in the interview process.
- b) The affiliate may assume any costs for the candidate's transportation, lodging, or other expenses, even if those costs may vary among the candidates.
- c) If a report, transcript, or summation is distributed to members or delegates, the content and means of distribution must be fair and impartial. No candidate may receive more favorable treatment than any other candidate receives.

3. Endorsements of Candidates

In its regular course of business, the membership or governing body of an affiliate may endorse a candidate for office. An affiliate may not, however, call a meeting for the sole purpose of issuing an endorsement and may not spend any funds in any other manner for that purpose.

Once an endorsement has been made, an affiliate may not spend funds specifically to publicize the endorsement or to encourage delegates to vote for a particular candidate. If the actions or business of the membership or governing body are regularly published in a newsletter or regularly reported or distributed in some other manner, the affiliate may include the action on the endorsement, but this is the only condition under which the affiliate may use funds to publicize the endorsement.

Although the affiliate may not use the funds of the organization to publicize or encourage support, the following actions may be taken:

³ For purposes of this section, the term "candidate" means the candidate and anyone acting on his or her behalf or at his or her direction.

- a) The candidate may reference the endorsement in his or her own literature (*e.g.*, “I have been endorsed by ____ Council” or, “Members of the _____ Education Association support my candidacy.”)
- b) An officer of an affiliate or any other member or combination of members may use their own resources or those of the candidate to encourage support from members or delegates. In a personal letter or any other type of personal communication, an officer may mention his/her title as a means of persuasion (*e.g.*, “Dear Delegate: I am president of the _____ Education Association and I am writing in my capacity as an individual WEA member to urge your support for ...”). Such letters may not be written on the official stationery of the affiliate.

4. Association Meetings

In connection with a meeting of an affiliate, candidates⁴ may sponsor social or fundraising events that promote their candidacies, provided that the candidate is responsible for all costs incurred because of the event and that the event is incidental to, and not part of, the affiliate’s meeting. Meeting organizers must also provide all other candidates for the same position with the same opportunity to sponsor a comparable event in connection with the meeting. Notice of this opportunity should be given to all other candidates as soon as possible.

C. ELECTRONIC EQUIPMENT AND SERVICES

A candidate⁵ for WEA or NEA office may not use for campaign purposes any electronic service to which he or she has access as a result of the expenditure of any resources by WEA, NEA, or its affiliates. Such services include but are not limited to WEA’s and NEA’s Wide Area Network, local area networks established by WEA affiliates, WEA, NEA and WEA affiliate intranets, and access to the Internet that is provided by WEA, NEA or its affiliates. For example, a candidate who has an e-mail account provided by the candidate’s state association could not use it to promote his or her campaign.

A candidate for WEA or NEA office may use for campaign purposes any electronic equipment or service to which he or she has access without the expenditure of any resources by WEA, NEA or its affiliates. If the candidate has access to phones, wifi hotspots, or other electronic services that are paid for by the Association, the candidate must track the amount of time used for campaign purposes and then calculate the value of that use and reimburse the Association for that amount. Written records must be kept to document how this was tracked and calculated. However, the candidate may not receive any assistance in the use of such equipment or service from any individual who at the time of providing the assistance is receiving compensation from WEA, NEA or its affiliates. For example, a candidate should not ask a state association’s information technology services specialist to assist him or her in the design or operation of a campaign Web site while the association employee is on work time.

A candidate who uses electronic equipment or service without the expenditure of any resources by WEA, NEA or its affiliates has complete control over the content of messages that he or she transmits

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

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via such equipment or service. Nevertheless, that candidate is still bound by other provisions of this document that relate to campaigning, such as the obligation to identify the source or sponsorship of all campaign materials. See section III.F.4.

D. USE OF WEA OR NEA LOGOS

Neither the WEA or NEA logo, nor the symbol of the united education profession may be used by candidates on campaign material or in their displays in the candidate flier provided to the WEA for placement in the RA packet. WEA, however, may use either or both symbols on election campaign material of an informational nature.

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

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

F. CAMPAIGNING BY ASSOCIATION OFFICIALS

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

For example, a WEA official who is a candidate for office and is assigned to represent the Association at a meeting is permitted to meet with supporters or campaign committee members during off-duty hours. All expenses incurred in connection with such a meeting are campaign expenses and are not chargeable to WEA.

A candidate traveling at WEA, NEA or affiliate expense on official business may use his or her hotel room for campaign purposes (*e.g.*, a meeting of the campaign committee or a social event) provided he or she reimburses WEA or the affiliate, as appropriate, on a pro-rata basis for the time the room was used for such purposes. The amount of the reimbursement is computed as follows: The daily rate for the room is divided by 24 to determine an hourly rate. That hourly rate is then multiplied by the number of hours the candidate’s room was used for campaign purposes. The total amount should be remitted to WEA or the affiliate, as appropriate, or deducted from the candidate’s expense voucher.

G. CAMPAIGNING AT LOCAL, STATE, OR NATIONAL ASSOCIATION FUNCTIONS

Campaign activities at a local, state or NEA function (meeting, conference, social event, etc.) must be incidental to the function and must not interfere with or intrude on the planned program. Campaigning may take place before or after the function and between sessions of the function (*e.g.*, at meal breaks). For example, a candidate’s campaign workers may place campaign materials at the places of participants or observers prior to the opening of the meeting or may distribute campaign material to

⁶ For purposes of this section, the term “candidate” means the candidate and anyone acting on his or her behalf or at his or her direction.

participants outside the entrance to the meeting room. A campaign worker may not, however, distribute campaign material once the meeting has begun or announce a campaign-related activity during the meeting.

III. SPECIFIC CAMPAIGN AND ELECTION PROCEDURES

A. TERMS OF OFFICE:

The terms of office for both WEA President and WEA Vice President shall be two (2) years.
WEA Constitution, Article VI, Section 2.

WEA Officers shall serve no more than three (3) terms.
WEA Constitution, Article VI, Section 2.

The terms of office for NEA State Directors is three (3) years.
NEA Constitution, Article V, Section 2.

NEA State Directors shall serve no more than two (2) terms.

B. ELIGIBILITY

- a) All candidates for WEA Officer or NEA office shall have been Active members of the Association for at least two (2) years immediately preceding the election. WEA Officers shall maintain their membership throughout their terms of office. *NEA Constitution, Article V, Section 2.d.*
- b) For purposes of qualifying for an office, an Active member will be considered to have joined the Association as of September 1 of the membership year in which the member enrolled, or the date on which he or she joined the Association, whichever is later.
- c) Neither full-time nor part-time local, council, state and national staff are eligible to serve in elected governance positions.

C. CANDIDATE FORMS AND FILING

Candidate forms for WEA Officer and NEA Board Director to be filed with the WEA Governance and Administration office shall be available through the WEA Nominations and Elections Committee.

1. Each candidate is required to submit in writing to the chairperson of WEA Nominations and Elections the following:
 - a) The name of one (1) official observer to be present at all times during the voting and the recording of the votes;
 - b) The name of one (1) person giving the nomination; and
 - c) The name of at least one (1) person giving the seconding nomination(s).

2. Nominations for WEA officer and NEA state director candidates may be made by any individual eligible for the office.
3. Nominations for NEA State Directors shall be by position.
4. Nominations for WEA officer, WEA at-large directors to the Board, and NEA state director positions close with the closing of nominations during the second business session of the Representative Assembly.
5. Candidates may have their names withdrawn from the ballot until the time the polls officially open for balloting.

D. CAMPAIGNS

1. Campaign Period for WEA President and Vice President

- a) The campaign period shall be no more than one year.
- b) Campaign activity is prohibited during the business meetings of the WEA Representative Assembly and in the assembly hall.

2. Campaign Period for NEA State Director

- a) The campaign period shall be no more than one year.
- b) Campaign activity is prohibited during the business meetings of the WEA representative assembly and in the Assembly hall.
- c) When a new director position is established, the campaign period will extend from the date the position is officially authorized until the election to fill the position is completed.

3. Campaign Revenue and Expenses

- a) No money or resources of WEA, NEA, an NEA affiliate, a labor organization, an employer, or any entity created or controlled by any of the above, shall be used to promote the candidacy of any person for an NEA office. *NEA Standing Rule 11. B.4.*
- b) No candidate or a candidate's representative or supporters may use money, goods, services, or anything of value given directly or indirectly by a labor organization (including WEA, NEA and its affiliates) or an employer (including school districts, commercial firms, and businesses) to promote any candidacy for WEA or NEA office. Only contributions received from individuals or groups of individuals may be used for that purpose.
- c) The following procedure shall apply in regard to elections for WEA office that do not take place at the Representative Assembly: Using forms provided by the Nominations and Elections Committee, each candidate for state ESP, retired, or student director shall file a final report of

campaign revenues and expenses with the state association president. Such report must be filed no later than thirty (30) days following certification of the result of the election.

- d) Campaign expenditures include, but are not limited to, items used to solicit voluntary contributions. The purchase of any item(s) for an auction, giveaway, or similar activity by a candidate for NEA director for the purpose of fundraising will be reported as a campaign expenditure. The amount collected from such activities will be reported as campaign revenue.
- e) Candidates may use campaign contributions that they have collected for any lawful purpose, except the following:
 - 1. Making contributions to other candidates or members who have expressed an intent to become candidates for elective office in WEA or NEA or its affiliates; and
 - 2. Making contributions to candidates for office in another labor organization.
- f) Candidates may use on-line fundraising sites to raise campaign funds but must screen contributors to comply with Standing Rule 11.B.4's prohibition against contributions from WEA, NEA, NEA affiliates, employers or other unions or representatives thereof. Candidates can satisfy this requirement by requiring on-line contributors to confirm affirmatively that they are contributing solely as individuals, not on behalf of WEA, NEA, an NEA affiliate, or any other union or employer.

4. Campaign Materials

- a) Campaign materials shall mean any document, electronic transmission, object, or other material that has the purpose or effect of promoting the candidacy of an individual for NEA office, and shall include, by way of illustration and without limitation, billboards, newspaper advertisements, audio-visual materials, emails, brochures, position papers, buttons, pins, articles of clothing, candy, posters, banners, signs, fans, pens, announcements, and invitations. *NEA Standing Rule 13.G.*
- b) As a general rule, all campaign materials must carry an identification of their source and sponsorship. For example, signs, banners, brochures, t-shirts and other clothing must contain such an identification. In some cases, however, carrying such an identification would be impossible or impracticable, *e.g.*, where the item is too small, such as a small pin or a small piece of candy. In such cases, the items in question must be distributed from a table or booth, or placed in some type of container, which clearly indicates that the campaign is their source or sponsorship.
- c) Production and distribution by a candidate or a candidate's designee of campaign materials as defined in this document constitutes a campaign activity, and actual expenses thus incurred must be reported as such.
- d) No campaign literature or related materials may be distributed or posted until four (4) hours before the beginning of the first business session of the Assembly in which the election is to be held, except as noted in XXII.B.8.
- e) All campaign materials placed or distributed outside the Assembly meeting room shall conform with the rules and/or regulations outlined.

- f) No campaign literature or related materials may be distributed or posted with in the seating area of the auditorium or where they are visible from the seating area or from the polling places on election day.
- g) Candidates are permitted to distribute campaign materials at Assembly banquets.
- h) Candidates shall be responsible for removing campaign materials one-half (1/2) hour before the election is held.
- i) No “giveaway” items of any type shall be permitted by a candidate running for office at any Assembly.
- j) Hospitality, campaign buttons, and inexpensive consumable items shall not be considered “giveaway” items.
- k) No campaign literature or related materials may be distributed or posted for candidates for office at the next Assembly until the adjournment of the Assembly presently in session.

5. Content of Materials

- a) All campaign materials must contain an identification of source and sponsorship.
- b) When the candidate pays both production and dissemination costs and WEA, NEA or its affiliates merely serve as the conduit for transmitting the material to members and/or delegates, the candidate retains full and final authority over the content of the material as well as its size, shape, weight, length, and so forth.
- c) When WEA, NEA or its affiliates pay for production and/or dissemination of materials in whole or in part, WEA, NEA and its affiliates reserve the right to reject any materials that could expose them to legal liability.
- d) Any campaign material for which WEA, NEA or its affiliates pay production and/or distribution costs must contain a standard disclaimer that clearly and prominently states that the material reflects the views of the candidate and not those of NEA or its affiliates. Such material must also include some text; it may not consist exclusively of photos or artwork. Such material may not contain profanity or unlawful content, such as defamatory statements or copyright or trademark infringement.

6. Campaign Services

- a) A candidate for WEA officer or NEA director position may request an official nomination form at the close of the Assembly.
- b) When an official nomination form has been received by WEA Nominations and Elections, each WEA officer and NEA state director candidate will be provided with delegate information upon request and after paying the cost to generate the information.

- c) Following nomination, a candidate is entitled to the following services from WEA:
 - 1. Publication of a photograph and biographical sketch and article of two hundred (200) words or less in WEA publication if information is received within the prescribed deadlines; and
 - 2. Inclusion in each Assembly delegate packet one (1) piece of campaign material no larger than 8-1/2" x11" and 3-hole punched provided said material is provided to the WEA at candidate's expense and delivered to the WEA headquarters at least ten (10) days prior to published mailing date.

IV. Campaign Regulations and Enforcement

- a) WEA Nominations and Elections shall be empowered to enforce the campaign regulations.
- b) Candidate violation of the campaign rules and regulations may cause the Nominations and Elections committee to render a decision to withdraw the candidate from the election. All decisions of WEA Nominations and Elections may be appealed to the WEA Board.