

PORTLAND ASSOCIATION OF TEACHERS

NOMINATIONS AND ELECTIONS HANDBOOK

September 22, 2004

(Amended January 9, 2008; November 4, 2009; December 5, 2012; November 5, 2014; November 4, 2015; November 8, 2016; November 12, 2020, October 6th, 2021)

Section 1 - THE NOMINATIONS AND ELECTIONS COMMITTEE

- A. The chairperson of the Nominations and Elections Committee is appointed by the PAT President and confirmed by the PAT Executive Board.
- B. The Committee Chair recruits four (4) committee members to be approved by the Executive Board at the September Executive Board meeting. The Committee may recruit additional volunteers to count ballots.
- C. No PAT Executive Board member or candidate for Executive Board office shall serve on the Nominations and Elections Committee or count ballots for an office for which he/she is a candidate.
- D. The committee shall be responsible for running one governance election per year. Said election will be for OEA and NEA RA Delegates, PAT Officers and Executive Board Directors. It will conduct runoff and interim elections as needed.
- E. The committee shall conduct ratification elections as required.

Section 2 - ELECTION ANNOUNCEMENTS

- A. The Nominations & Elections Chairperson, or his/her designee, will publish the election schedule to members no later than the October PAT Representative Assembly. The Chairperson will announce the opening of nominations for the upcoming governance election at the November Representative Assembly. Nominations information will be sent to all members.
- B. A separate Portland Association of Teachers Nomination Form must be submitted for each position for which the candidate wishes to run. Candidates for the position of OEA RA Delegate may alternatively add their name to the electronic Official OEA Representative Assembly Delegate Nomination List, which will be linked to all editions of *The Advocate* during the open period for nominations to place their name on the ballot. Nominations will be closed at 7:00 p.m. on the date designated for nominations to close. In years in which nominations are designated to close at the January PAT Representative Assembly, nominations for PAT officer and Executive Board Director positions shall close at 5:00 p.m. at that meeting so that candidate speeches may occur at that meeting. Nominations for all other positions will close at 7:00 p.m. If RAs are held online, nominations for PAT Officer and Executive Board Director positions will close at 5:00

PM on the Friday before the RA at which candidate speeches occur. This would allow the Nominations and Elections Committee to record the candidate speeches remotely to be shown at the PAT Representative Assembly the following Wednesday. Nominations will not be allowed from the floor during an online PAT Representative Assembly, due to the online format and time constraints. For PAT Representative Assemblies held in person, nominations from the floor shall take no more than 30 seconds.

- C. No candidate can run for re-election until the year his/her term expires.
- D. At the January Representative Assembly, announced candidates for PAT Officers and Executive Board (except for PAT President) will be allotted three (3) minutes each to speak. Candidates for PAT President will be allotted five (5) minutes. The speaking order will be determined by lot. If a candidate is unable to attend the January Representative Assembly due to emergency circumstances, the candidate may submit a written copy of his/her candidate's speech to be read by the Chair of the Nominations and Elections Committee during the Representative Assembly. Candidate speeches shall be videotaped and shall be shared with the membership either with, or prior to, the distribution of the Voters Pamphlet and ballots.
- E. The Nominations and Elections Committee will give PAT members the opportunity to write questions for all Officer and Executive Board candidates via an electronic link attached to a January edition of *The Advocate*. The Nominations and Elections Committee will choose up to four (4) member-generated questions to ask Officer and Executive Board candidates via an optional electronic questionnaire. Candidate responses will be included with their candidate statement and qualifications.

Section 3 - CAMPAIGN ACTIVITIES

- A. Campaign activities (e.g. distributing materials, having an active website, soliciting other members' endorsement) may occur only between the date of the opening of nominations and 5:00 p.m. on the date ballots are due. For candidates' campaign mailings, the effective date of the mailing shall be the date it is postmarked. Any posts that involve campaigning for a candidate in the PAT Election on the PAT Discussion Group Facebook page will be removed. Members who created the posts will be reminded to use their own personal page or website.

Some examples of Proper Campaigning:

- Distributing buttons/flyers/pencils, and other campaign materials, on the date nominations open, to end at 5:00 PM on the election date
- Using your own personal resources to have campaign materials made/created
- Having your own personal Facebook/social media campaign page/website

- Naming endorsers who have completed the N&E Endorsement form on your campaign materials. Endorsements can only be solicited between the date nominations open and 5:00 PM on the election date

Some examples of Improper Campaigning:

- Creating and distributing campaign materials in the summer (or any time before nominations open)
- Using materials from your school or the PAT Office to create campaign materials
- Using the PAT Discussion Group Facebook page to promote your campaign
- Gathering endorsements before the date nominations open
- Naming endorsers who have not completed the N&E Endorsement form on your campaign materials

- B. Candidates may not use the district PONY or use work hours (including planning time) for campaigning.
- C. Candidates may not, in any way related to their campaign, use or have access to any Association (PAT/OEA/NEA) offices, staff, equipment or materials. This includes member contact information obtained as the result of doing PAT business. The only exception is that each candidate may request, via email, one set of labels printed with each member's home address at cost and one list of PAT Representatives. The list of PAT Representatives will include representatives' names, zone numbers, schools, phone number(s), and home email address(es). Such requests must be received by the Nominations and Elections Chairperson no later than 5:00 p.m. on the day of the January Representative Assembly.
- D. Allegations of improper campaign activities shall be brought to the attention of the Nominations and Elections Chairperson (using the PAT Challenge Form) for investigation at first knowledge of the activities or the allegations will not be considered as the basis of a challenge to the election.
- E. A member who wishes to report improper campaigning may use the PAT Challenge Form.
- F. Consequences/Solutions/Outcomes - If a candidate is suspected of violating the Nominations and Elections Handbook, the Chair will contact the candidate during the investigation. If the candidate is found to have violated a provision of the N&E Handbook, the candidate will be required to speak before the Nominations and Elections Committee to present their defense. After a full investigation by the members of the Nominations and Elections Committee, the Committee may choose to penalize the candidate with one or more of the following actions:
 - a. Public notice issued to all members about this violation with a copy of full complaint and findings by the Nominations and Elections Committee. Notice of the violation shall be issued in the Advocate and via e-mail. Name(s) of complainant(s) shall be redacted from the public notice disseminated to the membership.

- b. Candidate's name shall be removed from the ballot and disqualified from the election.
(Candidate will be prohibited from winning a "write in" campaign.)

Section 4 - BALLOTING PROCEDURES

- A. The voting shall be by secret ballot. A link to an electronic online ballot and balloting materials will be e-mailed to eligible PAT members. Every e-mailed link shall have a unique code which will keep votes anonymous and prevent members from voting more than once. Those eligible to vote are those who are PAT members on the date nominations closed.
- B. Balloting materials will include:
 - 1. An electronic ballot. The order of candidates' names on the ballot shall be determined by lot.
 - 2. An electronic voting instruction sheet.
 - 3. An electronic Voter's Pamphlet, which may be included in the ballot and on the PAT website. Names of candidates and candidate statements will be listed by position, in the same order as the ballot, as determined by lot. Candidates for OEA RA delegate may submit a statement (not to exceed 25 words). Candidates for NEA RA delegate, PAT Officer and Executive Board positions may submit a statement (not to exceed 100 words) and additionally describe the Association activities (not to exceed five (5)) in which they have been involved.
 - 4. Members who do not wish to vote by electronic ballot shall have the opportunity to complete a paper ballot at the PAT office upon presentation of picture identification. The electronic link shall be disabled for any member who chooses to vote via paper ballot to prevent voting twice.
- C. The deadline for receipt of completed ballots, either electronic or at the PAT office, shall be no more than 90 calendar days from the date nominations are closed.
- D. A write-in candidate must receive at least two votes to be elected.

Section 5 - BALLOTING ACCOUNTING/COUNTING PROCEDURES

- A. Electronic ballots will be received and counted electronically. Any paper ballot completed at the PAT office will be date stamped and stored securely.
- B. All ballots received as of 5:00 p.m. on the due date will be counted by the Nominations and Elections Committee and volunteers:
 - 1. Ballots will be counted (electronically if possible).
 - 2. Paper ballots will be counted and included in the vote tally.
 - 3. Committee members present shall sign/date the election results.
- C. Each candidate or designee may observe the ballot counting.

- D. The Committee shall immediately verbally report election results to the PAT President. Then the Committee shall immediately verbally report their election or non-election to candidates for PAT Officers and PAT Executive Board Directors. The Committee shall send written notice to all candidates, including NEA and OEA RA delegates, within forty-eight (48) hours of the final election tally. The Nominations and Elections Chair, or his/her designee, shall announce election results at the next Representative Assembly.

Section 6 - RUNOFF ELECTIONS

- A. Runoff elections will occur as provided in PAT By-Laws. In the event the balloting for OEA RA or NEA RA delegates results in a tie between two or more candidates, the tie shall be broken by drawing names of those candidates with tied votes who have indicated their willingness to serve in the position. Names shall be drawn until all available positions are filled.
- B. Campaign activities shall be as described in Section 3 of these rules with these exceptions: campaigning may occur from the date of ballot counting of the first election to 5:00 p.m. on the date runoff ballots are due.
- C. Balloting procedures shall be as described in Section 4 of these rules. The deadline for receipt of completed ballots at the PAT office shall be not more than 20 working days from the date of the first ballot count.
- D. Ballot accounting/counting procedures shall be as described in Section 5 of these rules.

Section 7 - INTERIM ELECTION PROCEDURES

- A. Per By-Laws requirements, in the event of a vacancy in the office of a PAT Officer or Director, the President shall inform the Nominations & Elections Committee of the need for an Interim Election to be held within three (3) scheduled Representative Assemblies following the occurrence of the vacancy. A Representative list will be made available to each candidate upon written request.
- B. In the meantime, the PAT Executive Board may fill the position until an election can take place.
- C. The Executive Board may recommend and nominate this appointee and in addition, open nominations will be entertained from the floor of the next Rep Assembly.
- D. Secret balloting will occur at a meeting of the Representative Assembly following the vacancy announcement (and within the By-Laws requirements).
- E. If there is only one candidate running in an interim election, that candidate could be elected by acclamation at the Representative Assembly following the vacancy announcement (and within the By-Laws requirements).

Section 8 - CONTRACT RATIFICATION ELECTIONS

- A. For contract ratification, the Nominations and Elections Committee will produce a ratification ballot.
- B. The PAT Executive Board, based on the recommendation of the Bargaining Team, will be responsible for determining how the tentative agreements will be explained to and ratified by PAT Bargaining Unit Members.
- C. The ratification vote process will be monitored and validated by an external neutral party.

Section 9 - CHALLENGES TO AN ELECTION

- A. Challenges to PAT election activities and/or results shall be filed in writing with the Nominations and Elections Committee Chair not later than five (5) calendar days following the written notice of election results from the Nominations & Elections Committee to all candidates being sent from the office. Challenges to ratification election results by a bargaining unit member shall be filed in writing (See PAT Challenge Form) with the Nominations and Elections Committee Chair within five (5) calendar days following the counting of the ballots. Challenges and complaints may only be made by PAT members.
- B. The Nominations and Elections Committee shall investigate any challenge, apply these procedures and other criteria as appropriate and decide any appropriate action to be taken.
- C. The Nominations and Elections Committee decision shall be final.

Section 10 - GENERAL PROCEDURES

- A. The Nominations and Elections Committee shall annually review these procedures.
- B. Ballots shall be retained by the Nomination and Elections Committee in a secure location for a minimum of one (1) year from the date on which the Executive Board approves the official report of the results of the election. After that period of time, the ballots may be destroyed.

[This section intentionally left blank]

Applicable Sections of *PORTLAND ASSOCIATION OF TEACHERS BYLAWS*

(as Revised November 2019)

ARTICLE 4 – MEMBERSHIP Section 1 – Classes

- a) Membership

- b) Retiree Membership

...Retiree membership shall not include the right to vote, the right to be included in the count for determining the quota for representatives to the Representative Assemblies, or the right to hold elected office. Retiree membership shall include the right to hold PAT appointed positions.

Section 2 – Rights, Limitations, and Obligations of Membership

- a) Members shall have the right to vote and to hold elective office or appointive position.

ARTICLE 6 – OFFICERS

Section 1

The officers of the Association shall consist of a president, a vice president, a secretary and a treasurer.

Section 6 – Terms, Succession, and Vacancies

- a) The president, vice-president, secretary, and treasurer shall be elected to a two-year term, and may be reelected. No officer shall be elected to serve more than two (2) consecutive full terms.
- b) Whenever an office becomes vacant between elections, the remaining members of the Executive Board shall appoint an active member of the Association to serve in that office until the Representative Assembly shall fill the vacancy by election within three regularly scheduled Representative Assembly meetings. This process may be suspended when the Executive Board deems that it is in the best interests of the Association to do so. An interim election may be completed upon receipt of the intent to vacate a position.

- c) All newly elected officers shall become non-voting participants of the Executive Board upon election and shall assume their full rights and duties of office on the July 1, immediately following election and shall serve through the following June 30 of their final year of office, except the treasurer, whose term shall begin September 1 of that year and end the following August 31 of their final year of office.

ARTICLE 7 – DIRECTORS AT LARGE

Section 1

Portland Association of Teachers Executive Board Directors shall be elected for two-year terms and may be reelected.

ARTICLE 10 – COMMITTEES AND TASK FORCES

The standing committees of this Association are Advocacy, Bargaining, Instruction and Professional Development, Legislative, Membership, Nominations and Elections, Racial Equity, Social Justice and Community Outreach, and Substitute.

Section 3 – Committees and Duties

- f) The Nominations and Election Committee shall implement Article 12 of these Bylaws. No Executive Board member, or candidate for Executive Board, shall serve on this committee. The Nominations and Elections Committee shall be responsible for scheduling and staffing the credentials operation at Representative Assembly.

ARTICLE 12 - NOMINATIONS, BALLOTING AND ELECTIONS

Nominations and elections shall be conducted according to procedures and policies set forth in these Bylaws and in the Nominations and Elections Handbook.

Section 1 – Nominations

- a) The Nominations and Elections Committee shall declare to the PAT Representative Assembly no later than the November meeting vacancies for offices, Executive Board directorship and delegates to the Representative Assemblies of OEA and NEA. The Nominations and Elections Committee shall close nominations no later than the January Representative Assembly. Any Association member may nominate other candidates from the floor, providing the candidate shall have given prior consent.

- b) The Nominations and Elections Committee shall report at the January PAT Representative Assembly the names of candidates.

Section 2 – Balloting

- a) At least two weeks prior to balloting, the Nominations and Elections Committee shall publish and distribute to active members brief information on the candidates in the voter's pamphlet.
- b) Ballots shall be delivered to active members and the vote held within ninety (90) days immediately following the close of nominations. Elections shall be by secret ballot, except as referenced in c)
- c) In circumstances referenced in Article 6, section 6 b, when an interim election is held at an RA, voting may be done by acclamation for uncontested races.

Section 3 – Election

- a) The Nominations and Elections Committee shall count the votes, and the results shall be reported immediately to the president and to all candidates.
 - b) The Nominations and Elections Committee shall submit to the Executive Board at its next meeting a written report of the results of the Committee's count. Once accepted by the Executive Board, this document will constitute the official report of the results of the election.
 - c) The candidates for representative to the Representative Assemblies of OEA and NEA, and candidates for Executive Board receiving the largest number of votes cast shall be declared elected.
 - d) Candidates for the offices of president, vice president, secretary and treasurer must receive a majority of all votes cast to be declared elected. If no candidate for a vacancy receives a majority after the first balloting, the two highest vote recipients will stand for election in a run-off election to be held as soon as possible after the date of the first election.
-

[This section intentionally left blank]