

**NOTICE IS HEREBY GIVEN THAT AN ELECTION FOR THE FOLLOWING POSITIONS WILL BE CONDUCTED AT 8 A.M SATURDAY, APRIL 8, 2017, DURING THE 2017 NYSUT REPRESENTATIVE ASSEMBLY AT THE NEW YORK HILTON MIDTOWN, 1335 AVENUE OF THE AMERICAS, NY, NY 10019, IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BELOW.**

**NOTICE IS HEREBY FURTHER GIVEN THAT NOMINATING PETITIONS FOR EACH OF THE FOLLOWING POSITIONS WILL BE ACCEPTED THROUGH 5 P.M. THURSDAY, FEB. 9, 2017, IN ACCORDANCE WITH THE CRITERIA AND PROCESSES OUTLINED BELOW.**

## **I. DESCRIPTION OF POSITIONS**

### **A. NYSUT Officers**

President  
Executive Vice President  
First Vice President  
Second Vice President  
Secretary-Treasurer

### **B. AFT State Federation Delegates**

Total: Up to four (4) delegates and four (4) alternates. The number of AFT State delegates to which NYSUT is entitled has not yet been determined by the AFT. If NYSUT's allocation is fewer than four (4) delegates, the delegates will be determined by highest ranking based on votes received.

### **C. NYSUT At-Large Directors**

One At-Large Director from each established cluster of two or more geographic election districts.

Five At-Large Directors from the statewide SRP constituency.

One At-Large Director from the statewide health care constituency.

One At-Large Director from the statewide community college constituency.

One At-Large Director from the statewide private higher education constituency.

Two At-Large Directors from the statewide public higher education constituency.

One At-Large Director from the statewide retiree constituency.

### **D. NYSUT Election District Directors**

One director from each geographically established election district.

## **II. TERM OF OFFICE**

The term of office for the NYSUT officers, AFT state delegates, AFT alternate state delegates, at-large directors and election district directors shall be three (3) years.

That three (3) year term shall commence upon the conclusion of the 2017 NYSUT Representative Assembly and shall end with the conclusion of the 2020 NYSUT Representative Assembly.

## **III. NOMINATION & ELECTION PROCEDURES**

### **A. General candidate qualifications & nomination procedures for all offices**

#### **1. Candidate qualifications**

A candidate is any member in good standing who meets the candidate eligibility criteria, the nomination requirements for the position, and fulfills the requirements listed below.

#### **2. Availability of Nominating Petitions**

Nominating Petitions may be obtained from the Elections Committee commencing Jan. 2, 2017 by contacting the NYSUT Elections Committee at NYSUT Headquarters either in writing (800 Troy-Schenectady Road, Latham, NY 12110-2455); by telephone (800-342-9810, ext. 6663); or by email to [elections@nysutmail.org](mailto:elections@nysutmail.org).

#### **3. Acceptance of candidacy/candidate name verification**

**Acceptance of nomination:** In order to qualify as a candidate for any position the candidate must signify his/her acceptance of the nomination by signing the Acceptance of Candidacy portion of the Nominating Petition.

**Name verification:** Each candidate is also requested to indicate on the Nominating Petition the manner in which his/her name should be printed on the election ballot.

**Contact information:** All candidates are requested to provide on the Nominating Petition both their personal (*i.e.* non-employer) email address (if available) and cellphone number (or home telephone number, if there is no cellphone) to enable the NYSUT Elections Committee to readily contact them.

#### **4. Candidates' ability to verify Election Committee's receipt of Nominating Petition**

The Elections Committee will notify nominees either by email (if available), or by telephone, that their petition has been received and validated by the committee. However, it is the responsibility of nominees to confirm the Election Committee's receipt of their nominating petition and nominees may do so by contacting the NYSUT Elections Committee at NYSUT Headquarters either in writing (800 Troy-Schenectady Road, Latham, NY 12110-2455); by telephone (800-342-9810, ext. 6663); or by email request to [elections@nysutmail.org](mailto:elections@nysutmail.org).

#### **5. Multiple candidacies**

In addition to serving as an elected NEA State Delegate, no member may be a nominee for more than one elected NYSUT posi-

tion, except candidates for AFT State Delegate and AFT Alternate State Delegate may be a candidate for one additional elected NYSUT position.

### **B. Candidate qualification, nomination & election procedures for each office**

#### **1. NYSUT Officer candidates**

##### **a. Eligibility requirements for nomination and candidacy**

Any member in good standing with NYSUT, at the time of nominations, may nominate a candidate to be a NYSUT officer. Membership in NYSUT for, at least, two (2) years prior to the Feb. 9, 2017, deadline for the submission of nominations is a condition for being nominated as a NYSUT officer (NYSUT Constitution Article VII §2).

##### **b. Nominating Petition requirements**

Nominating Petitions, containing signatures of at least 50 in-service or retiree NYSUT members in good standing, must be received by the NYSUT Elections Committee by no later than 5 p.m., Feb. 9, 2017.

##### **c. Electors**

All credentialed in-service and retiree delegates to the 2017 NYSUT Representative Assembly shall be eligible to vote for NYSUT officers.<sup>1</sup>

##### **d. Tabulation**

NYSUT officers shall be elected by a weighted roll call vote (NYSUT Constitution Article VII §7; Article VIII §1(c-d); NYSUT Bylaw C (1)(b-c)). The candidate with the majority of the total votes cast for each NYSUT office shall be elected to that office.

Any local wishing to avail itself of the right to cast votes in the NYSUT officer election by secret ballot (NYSUT Constitution Article VIII §1(d)) must provide to the NYSUT Elections Committee a formal request signed by two officers of the local association, along with written verification (*e.g.* minutes of the local's governing board) that the local's governing body has directed its delegates to vote by secret ballot. In order to provide the NYSUT Elections Committee adequate advance time to prepare the necessary secret ballot, both the request for the secret ballot vote and the written verification must be provided to the NYSUT Elections Committee by no later than 5 p.m., Feb. 16, 2017.

#### **2. AFT State Delegate and AFT Alternate State Delegate candidates**

##### **a. Eligibility requirements for nomination and candidacy**

Any in-service member of both NYSUT

<sup>1</sup> "In-service delegates" are delegates who were nominated by, and elected by the in-service NYSUT members of a NYSUT local. "Retiree delegates" are delegates who were nominated, elected by and from the NYSUT Retiree Councils (NYSUT Bylaw C (2)(c)).

and of AFT in good standing, at the time of nomination, shall be eligible to be a candidate for AFT State Delegate or AFT Alternate State Delegate. Any in-service member in good standing of both NYSUT and of the AFT may nominate a candidate to be either an AFT State Delegate or an AFT Alternate State Delegate.

##### **b. Nominating Petition requirements**

Nominating Petitions, containing signatures of at least 50 NYSUT/AFT in-service members in good standing, must be submitted to the NYSUT Elections Committee by no later than 5 p.m., Feb. 9, 2017.

##### **c. Electors**

All credentialed in-service and retiree delegates to the 2017 NYSUT Representative Assembly shall be eligible to vote for AFT State Delegates and AFT Alternate State Delegates.

##### **d. Tabulation**

AFT State Delegates and Alternate Delegates shall be elected by a weighted roll call vote of all ballots cast by in-service delegates. The four candidates with the highest vote total for State Delegate and for Alternate State Delegate shall be elected AFT State Delegate and AFT Alternate State Delegate, respectively.

#### **3. NYSUT At-Large Director candidates**

##### **a. Eligibility requirements for nomination and candidacy**

Any member in good standing with NYSUT, at the time of nomination, may nominate a candidate to serve as an At-Large Director.

To be a candidate to serve as an At-Large Director from a NYSUT clustered Election District, the candidate must be a member of a local which is situated within the clustered Election District. To be a candidate to serve as an At-Large Director for a statewide constituency group, the candidate must be a member of the constituency group.

##### **b. Nominating Petition requirements**

A Nominating Petition, containing signatures of at least eight (8) in-service or retiree NYSUT members in good standing, must be submitted to the NYSUT Elections Committee by no later than 5 p.m., Feb. 9, 2017.

##### **c. Electors**

All credentialed in-service and retiree delegates shall be eligible to cast votes for all of the At-Large Director positions.

##### **d. Tabulation**

At-Large Directors shall be elected by a weighted roll call vote of all ballots cast (NYSUT Constitution Article VIII §1(c-d), Article IX §4(c) and NYSUT Bylaw C (1)(b)). The candidate with the majority of the total votes cast for each of the clustered Election Districts and for the statewide constituency At-Large Election Districts shall be elected NYSUT At-Large Director.

**4. NYSUT geographic Election District Director candidates**

**a. Eligibility requirements for nomination and candidacy**

Any in-service member in good standing with NYSUT at the time of nomination may nominate a candidate to serve as a Director from the NYSUT Election Districts encompassing the member’s local. Any NYSUT member in good standing of a NYSUT local may be a candidate for Director from the NYSUT Election District encompassing the member’s local.

Any retiree member in good standing with NYSUT at the time of nomination may nominate a candidate to serve as a Director from a NYSUT Retiree Election District encompassing the retiree member’s retiree council. Any NYSUT retiree member in good standing may be a candidate for Director from the NYSUT Retiree Election District encompassing the member’s retiree council.

**b. Nominating Petition requirements**

A Nominating Petition, signed by at least two (2) in-service NYSUT members in good standing from NYSUT locals which are situated within the Election District which the candidate seeks to represent, must be submitted to the NYSUT Elections Committee by no later than 5 p.m., Feb. 9, 2017.

A Nominating Petition, signed by at least two (2) retiree NYSUT members in good standing from NYSUT retiree councils which are situated within the NYSUT Retiree Election District which the candidate seeks to represent, must be submitted to the NYSUT Elections Committee by no later than 5 p.m., Feb. 9, 2017.

**c. Electors**

All credentialed delegates representing in-service NYSUT members from a NYSUT local who is in good standing with NYSUT, shall be eligible to cast votes in the election of the Election District Director for the Election District where the delegate’s local is situated.

All credentialed retiree delegates representing NYSUT retiree members from a NYSUT retiree council shall be eligible to cast votes in the election of the NYSUT Retiree Election District Director for the Retiree Election District where the delegate’s retiree council is situated.

**d. Tabulation**

Directors shall be elected by a weighted roll call vote of the ballots cast by the delegates comprising the applicable constituency (NYSUT Constitution Article VIII §1(c-d), Article IX §4(a) and NYSUT Bylaw C (1) (b)). The candidate with the majority of the total votes cast in each Election District shall be elected NYSUT Director from the Election District and the NYSUT Retiree Election District Director.

**IV. PUBLICATION OF NOTICE OF NOMINATION AND ELECTION CAMPAIGN AND ELECTION PROCEDURES**

This Notice of Nomination and Election and Campaign & Election Procedures will appear in the January 2017 issue of *NYSUT United*.

A reminder of the January 2017 *NYSUT United* publication of Notice of Nomination and Election and Campaign & Election Procedures shall also be contained: (a) in the *NYSUT Leader Briefing* for the week of Jan. 9, 2017, and (b) in the February 2017 issue of *NYSUT United*.

**V. CANDIDATE’S ACCESSING MAILING LABELS AND THE SUBMISSION OF CAMPAIGN STATEMENTS FOR THE NYSUT UNITED “ELECTION ISSUE”**

Any candidate who completes and submits a valid Nominating Petition to the NYSUT Elections Committee by no later than 5 p.m. on Thursday, Feb. 9, 2017, shall be eligible: (a) to access and affix the mailing labels of eligible electors for campaign purposes at the NYSUT regional office designated by the candidate, and/or (b) to promote his/her candidacy by submitting a campaign statement for publication in the March 2017 *NYSUT United* “Election Issue.”

**A. Elector mailing labels**

Candidates are eligible to access mailing labels of the applicable delegate constituency (electors) upon so indicating on the Nominating Petition. The applicable delegate mailing labels will be released the week of March 13, 2017. Candidates will be notified by the Elections Committee by email or by phone when the mailing labels are available in the regional office.

Mailing labels and appropriate office space in a common area will be provided to any candidate at the NYSUT regional office designated by the candidate on his or her Nominating Petition, to affix the mailing labels of eligible electors on materials for campaign purposes. There will be a NYSUT staff person present at all times during which the mailing labels are being affixed to the material. It shall be the sole responsibility of individual candidates to produce their campaign material, supply adequate postage and meet any other requirements of the U.S. Postal Service or other delivery service selected by the candidate, regarding the delivery of such materials. The designated NYSUT regional office shall take all reasonable steps to mail the material or to deliver it to such other delivery service selected by the candidate. Mailing labels shall not be taken from the regional office, reproduced or otherwise distributed. Candidates shall have the right to accompany NYSUT staff to the location

where mailing or delivery to a service takes place, and to observe the mailing or delivery.

All mailing labels are confidential and privileged information and shall not be taken from the regional office, reproduced or shared with anyone. Candidates should contact the Elections Committee at [elections@nysutmail.org](mailto:elections@nysutmail.org) if they have not been contacted by the committee regarding mailing labels by March 17, 2017.

Provided, however that in lieu of accessing and affixing mailing labels at a NYSUT regional office, a candidate may use a bona fide outside mailing service to deliver campaign material to eligible electors, pursuant to the following procedures:

- (1) Such candidate shall notify the NYSUT Elections Committee of the name and contact information for the outside mailing service by listing that information on his/her Nominating Petition; and
- (2) Within 48 hours of receipt of the Nominating Petition or as soon thereafter as practicable, the NYSUT Elections Committee shall contact the candidate, and the outside mailing service using the contact information provided by the candidate, to obtain any written assurance the committee may require in order to prevent the reproduction or unauthorized distribution of member data.

After the receipt of such written assurances as the NYSUT Elections Committee shall

to be validated by the Elections Committee, by no later than 5 p.m. on Thursday, Feb. 9, 2017.

Candidate statements shall be submitted to the Elections Committee. Electronic submissions are preferred and shall be sent to the Elections Committee at [elections@nysutmail.org](mailto:elections@nysutmail.org) by 5 p.m. on Thursday, Feb. 9, 2017. Candidate statements may also be sent to the Elections Committee by fax (518-213-6411) or in hard copy (NYSUT Elections Committee, c/o Office of the President, 800 Troy-Schenectady Road, Latham, NY 12110-2455) provided such statements are received by 5 p.m. on Thursday, Feb. 9, 2017.

Any words that extend beyond the allowable space will be deleted and not published as part of the candidate statement. The Editor of *NYSUT United* maintains the right to alter the format, font, print style or any other formatting to ensure uniformity in the presentation of all candidate statements. Reasonable efforts shall be made to afford candidates an opportunity to review their statements prior to publication and to submit changes to their statements prior to final publication **PROVIDED** such changes are received by the Elections Committee electronically at [elections@nysutmail.org](mailto:elections@nysutmail.org) by 5 p.m. on Feb. 17, 2017.

Please note that candidates are solely responsible for the grammar and content of their statements.

Space in the March 2017 *NYSUT United* “Election Issue” for campaign statements shall be allocated as follows:

Position	Space	Photos Published	Order of Statement
President	540 Words	Yes	Candidates will be listed alphabetically
Executive Vice President	540 Words	Yes	Candidates will be listed alphabetically
First Vice President	230 Words	Yes	Candidates will be listed alphabetically
Second Vice President	230 Words	Yes	Candidates will be listed alphabetically
Secretary-Treasurer	230 Words	Yes	Candidates will be listed alphabetically
At-Large Director	100 Words	Yes	Candidates will be listed alphabetically
Election District Directors	50 Words	No	Candidates will be listed alphabetically and arranged in the numeric order of the NYSUT Election Districts
AFT State Delegate and Alternate	None	No	Candidates will be listed alphabetically

\* Photos taken with cellphones or cameras will be accepted. Photos copied from the Internet will not.

require, the committee shall arrange for the electronic delivery of data directly to the mailing service during the week of March 13, 2017.

**B. NYSUT United “Election Issue”**

The March 2017 issue of *NYSUT United* shall be the “Election Issue” which may be used by a candidate to promote his/her candidacy free of charge, provided the qualified candidate submits his/her campaign statement and Nominating Petition, both of which are

In addition to the uncharged space provided above, a full listing of candidates for the positions of NYSUT President, Executive Vice President, First Vice President, Second Vice President, Secretary-Treasurer, At-Large Director, Election District Director, AFT State Delegate and AFT Alternate State Delegate will also be published in the “Election Issue” of *NYSUT United*.

**C. Caucus slate campaign statements**

Organizations wishing to be identified by the Elections Committee as a caucus un-

der the Campaign and Election Procedures and thereby eligible to purchase space for a caucus-identified campaign statement published in the March 2017 "Election Issue" of the *NYSUT United* shall request, and properly complete and timely return a Caucus Notification Form to the Elections Committee. That form is available from the NYSUT Elections Committee. The deadline for the submission to the Elections Committee of a completed Caucus Notification Form as well as the caucus-identified campaign statement, which are to be validated by the Elections Committee, is 5 p.m. on Thursday, Feb. 9, 2017.

Caucus-identified campaign page(s) or a portion of a page (if partial slate) will be assigned on the basis of a drawing by the Elections Committee.

#### **D. Option to Purchase Space in NYSUT United "Election Issue"**

In addition to a candidate being allocated uncharged space in the *NYSUT United* "Election Issue" under the above criteria, a candidate who has submitted a validated Nominating Petition by no later than 5 p.m. on Thursday, Feb. 9, 2017 may purchase additional space in the *NYSUT United* "Election Issue." This space will be charged as an advertisement and printed in the advertisement portion of *NYSUT United*, separate and apart from the uncharged space provided in Subdivision B above. The cost of that purchased space will be based upon the *NYSUT United's* standard advertisement house rates and policy. Please note that candidates may NOT purchase additional space as part of or to extend the uncharged space provided for in Subdivision B above. In addition, any caucus that has submitted a validated Caucus Notification Form by no later than 5 p.m. on Thursday, Feb. 9, 2017 may purchase one ad in the *NYSUT United* "Election Issue" at the reduced rate of 25% of the standard advertising house rates. Any additional ad(s) purchased by a caucus shall be at full cost. Any candidate interested in purchasing additional space must provide the copy to be published in the March 2017 *NYSUT United* "Election Issue" to Mary Fran Gleason, *NYSUT United* Editor (mgleason@nysutmail.org) by no later than 5 p.m. on Thursday, Feb. 9, 2017. Additional information regarding the *NYSUT United's* standard advertising house rates and policy may be obtained by telephoning *NYSUT United* at 518-213-6090, ext. 6268.

### **VI. NOMINEES' FORUM**

#### **A. Statewide offices Nominees' Forum**

Nominees for NYSUT Officers, NYSUT At-Large Directors and AFT State Federation Delegates and AFT Alternate State Delegates to the AFT Convention ("statewide offices") shall be given the opportunity to speak to the RA during the Nominees' Fo-

rum which, if necessary, is to be held at 9:45 p.m. on Friday, April 7, 2017, or within 15 minutes after the conclusion of the General Session, whichever is later. In order to be eligible to participate in a Nominees' Forum for any of the statewide offices, a candidate must complete and return the Statewide Offices Nominees' Forum Participant Request Form to the Elections Committee by no later than 5 p.m. on Feb. 9, 2017. The Elections Committee will have available at the Elections Committee Table the final Statewide Offices Nominees' Forum participant roster (and locations) on April 7, 2017, from noon to 7 p.m. The time allocated shall be divided equally among the nominees for the same position. The order of speaking shall be determined by lot. Groups of nominees may pool their time. The NYSUT Elections Committee will announce during the General Session, to be held on April 7, 2017, at 6:30 p.m., whether there will be a Statewide Offices Nominees' Forum conducted at the conclusion of such General Session.

#### **B. Election District Director Nominees' Forum**

All nominees for Election District Director shall have the opportunity to speak at the Election District Director Nominees' Forum which, if necessary, is to be held at Election District meetings rooms at the RA commencing at 7:30 a.m. on Saturday, April 8, 2017. In order to be eligible to participate in a Nominees' Forum for any Election District Director position, a candidate must complete and return the Election District Director Nominees' Forum Participant Request Form to the Elections Committee by no later than 5 p.m. on Thursday, Feb. 9, 2017. The Elections Committee will have available at the Elections Committee Table at the RA the final Election District Director Nominees' Forum participant roster (and locations) on April 7, 2017, from noon to 7 p.m. The time allocated shall be divided equally among the nominees for the same position. The order of speaking shall be determined by lot. The NYSUT Elections Committee will announce during the General Session, to be held on April 7, 2017, at 6:30 p.m., whether there will be any Election District Director Nominees' Forums conducted the following morning and, if so, the time and location of the Nominees' Forum(s).

### **VII. CAMPAIGNING AT THE REPRESENTATIVE ASSEMBLY**

Campaigning at the NYSUT Representative Assembly shall end on Saturday, April 8, 2017, at 8 a.m. Campaign material shall not be distributed on the Representative Assembly convention floor or in or around voting areas. **Please note: Campaigning at the Local President's Conference is PROHIBITED.**

Pursuant to Article VIII (1)(f) of the NYSUT Constitution, the NYSUT Elections Committee shall have the authority to resolve

any and all issues or disputes involving any election.

### **VIII. STAFF RESTRICTIONS, CAMPAIGN CONTRIBUTIONS & LIMITED CANDIDATE SERVICES**

NYSUT staff members are prohibited by law from campaigning for any candidate except on the staff member's own time and provided that no union or employer funds or other resources are used for such electioneering. No candidate should request any campaign assistance from any NYSUT staff member.

No portion of dues money or union resources at the local, state or national level shall be used, directly or indirectly, to promote the candidacy of any person for any elected office.

Contributions may be received by a candidate only from individual persons or groups of individuals. No employer whatsoever (including, but not limited to, other unions, commercial firms, non-profit organizations, law firms, and businesses) may contribute money, goods, services, or anything of value, to promote directly or indirectly, the candidacy of any person for any elected office.

In conducting their election campaign, no candidate or anyone acting on behalf of a candidate shall utilize any funds, facilities, equipment, stationery, supplies or resources (including, but not limited to, computers, email systems, computer networks, electronic media, telephones, supplies, photocopiers or fax machines) which are financed by, owned or leased by NYSUT (except as provided below), or any of its national or local affiliates.

NYSUT through its Elections Committee will (subject to availability, e.g. NYSUT is not obliged to purchase equipment if not otherwise available) make limited services equally accessible to all candidates and caucuses (the cost of which incurred by NYSUT is to be paid to NYSUT). The exclusive limited services which will be made equally available by the Elections Committee to candidates and caucuses are as follows: (a) use of a table with chairs, and easels, in the vicinity of the convention hall for campaigning; (b) meeting space totaling not more than three (3) hours during the entire period of the Representative Assembly (Friday-Saturday); and (c) photocopying; provided that NYSUT is fully compensated for all costs incurred by NYSUT (as determined, in writing, by NYSUT) for the limited services utilized, and provided further that such services are available. All candidates and caucuses shall have equal access to receive all such limited services, and all reasonable requests will be honored, subject to the above qualifications. No alcohol,

food, or refreshments will be permitted in any meeting space made available to candidates by the Elections Committee. Any candidate who is endorsed by a caucus shall be ineligible to receive individual candidate services under these provisions whenever the caucus receives such services. Should either a candidate or a caucus wish to utilize any of these limited services, the Services Request Form (and additionally, in the case of a caucus, a proper Caucus Notification Form) shall be completed, signed, received and validated by the NYSUT Elections Committee, all by not later than 5 p.m. March 27, 2017.

If due to unforeseen circumstances (e.g. scheduling, equipment limitations or unavailability), the Elections Committee determines that any of the above described limited services need to be revised or modified, all eligible candidates and caucuses that have timely submitted the Services Request Form shall be promptly notified by the Elections Committee of the change. In such event, the Elections Committee will take reasonable means and measures to arrange comparable services so that there is no disparate treatment among any of the candidates, recognizing that if any costs are incurred by NYSUT in making alternate arrangements available, such are to be borne by the requesting candidates and/or caucus(es).

The cost of all services received by every candidate and every political caucus shall be reimbursed to NYSUT within thirty (30) days of the candidate's or caucus's receipt of NYSUT's written statement of services.

### **IX. ROLE AND AUTHORITY OF ELECTIONS COMMITTEE**

Pursuant to Article VIII (1)(f) of the NYSUT Constitution, the NYSUT Elections Committee shall have the authority to resolve any and all issues or disputes involving any election and to interpret and apply these Campaign and Election Procedures. The NYSUT Elections Committee shall be empowered to modify the foregoing procedures and timelines in the event of extenuating or unforeseen circumstances, or the requirements of either law or NYSUT's affiliates. Notification will be provided in the event there is a material change in these procedures or timelines.

### **X. CONDUCTING ELECTIONS**

All elections shall be conducted in accordance with the following instructions, and those provided by the NYSUT Elections Committee.

#### **A. Time and date of elections**

In order to be eligible to vote at the NYSUT Representative Assembly a delegate must be registered by 9:30 p.m. on April 7, 2017,

and must be present at her/his assigned voting locations on April 8, 2017, at 8 a.m. Any delegate not at her/his assigned voting location by that deadline will not be able to vote. Instructions on voting, distribution of ballots and voting will begin at each voting location promptly on April 8, 2017, at 8 a.m.

#### **B. Votes allocated per local**

Each local will be apprised at the time of balloting of the number of its votes based on membership as defined in the NYSUT Constitution.

#### **C. Election District Elections Committee**

Each Election District Director shall appoint a District Elections Committee comprised of delegates from that district, none of whom shall be a candidate for any position to be filled. The District Elections Committee shall elect a Chairperson and Vice Chairperson who, with the committee, shall be responsible for conducting elections in accordance with the following instructions and any further instruction they will receive from the Representative Assembly Elections Committee Chairperson.

Each Election District Elections Committee Chairperson will conduct the election according to the following procedure:

1. The Election District Elections Committee Chairperson will pick up and sign for all of the ballots and a list of eligible voters for all of the locals in his/her Election District.
2. The ballots will be distributed to the Ranking Delegate (delegation chair) of each local as indicated on the list of eligible voters.
3. The Ranking Delegate of each local will distribute the ballots to each eligible voting delegate.
4. The eligible delegates will vote, sign their ballots, and return the ballots to the local's Ranking Delegate.
5. After completion of the ballots, the Ranking Delegate will collect all ballots, and return them to the Election District Elections Committee.
6. The Election District Elections Committee Chairperson will return the ballots to the Representative Assembly Elections Committee.

#### **D. Voting tabulation & elections reporting**

The Representative Assembly Elections Committee will tabulate the results according to Article C, Section 1(b) of NYSUT's Bylaws, which states: "The votes of a local or retiree council shall be divided evenly among the delegates present at the time of voting. Votes shall be evenly divided to four (4) decimal positions by the Elections Committee at the time of tabulation. Election results will be reported by rounding the results to zero decimal positions."

Write-in votes will not be counted nor be part of any tabulation.

The Elections Committee will use all reasonable efforts to make the certified election results available to candidates requesting such information, before any results are announced during the following General Session, provided the candidate has provided to the Elections Committee, in advance, their cellphone number, another telephone number, or an email address.

If possible, the certified election results will be announced by the Elections Committee during the General Session held following the tabulation of votes and the Elections Committee's certification of the election. If the final election results are not available by the close of the General Session they will be published in the final *RA Reporter*. The final election results and vote total per candidate will be reported in the next available *NYSUT United* and posted at *nysut.org*.

All candidates shall receive official notification of the certified election results from the Elections Committee upon certification. The certified election results and vote total per candidate shall be reported in the next available *NYSUT United* and posted at *nysut.org*. However, roll call voting by delegates shall not be released for any secret ballot elections.

Observers of the tabulation process shall be afforded the opportunity to receive the results either electronically or in writing after the candidates have been notified of the results.

#### **E. Runoff procedure**

Should a second balloting be necessary to determine the results of an election, the two nominees with the highest number of votes in the first election will be runoff nominees. In the event that there is a tie for the second highest number of votes, the candidate receiving the highest number of votes and all candidates tied for second will be placed on the second ballot. Before a runoff election is held, the number of votes cast for each candidate in the election will be announced.

In the event that the Elections Committee determines that a run-off election needs to be held for a statewide office, the run-off election will be announced by the Elections Committee Chair and such election shall be conducted as soon as practicable upon such determination being made.

Should there be a need for a run-off election for an Election District Director position, the Election District election meeting must remain in session and roll call voting will continue until there are no more than two candidates on the ballot and a winning candidate is declared.

#### **F. Observers**

Candidates may observe or designate an observer or observers to observe the voting and tabulation process. Observers need not be elected delegates or alternates to the

Representative Assembly. Observers may observe the voting and/or tabulation process subject to the following conditions:

**Voting:** Any candidate may observe or designate an observer or observers to observe the voting process at each polling location.

**Tabulation:** Any candidate may observe or designate an observer for the tabulation process. The Chair of the NYSUT Elections Committee retains the right, based on logistical concerns, to limit the number of observers in the tabulation room; however, every candidate for election shall have the right to have at least one observer in the tabulation room.

Each candidate must register the name of each observer with the NYSUT Elections Committee before 7:30 a.m. on April 8, 2017. Observers are required to show photo identification to a representative of the NYSUT Elections Committee and each observer will be issued a special observer badge that must be displayed at all times during the voting and tabulation process. No observer will be allowed to observe voting or enter the tabulation room without the special observer badge.

### **XI. FORMS & INFORMATION**

Forms and information are available from: NYSUT Elections Committee, 800 Troy-Schenectady Road, Latham, NY 12110-2455; phone (800-342-9810, ext. 6663); (518-213-6000, ext. 6663), or by email request to [elections@nysutmail.org](mailto:elections@nysutmail.org).

Items available as specified within the Campaign and Election Procedures from the NYSUT Elections Committee are listed below and will be available on and after Jan. 2, 2017. (This is not an order form.)

- Nominating Petition for:
  - ❖ NYSUT Officer
  - ❖ AFT State Delegate and AFT Alternate State Delegate
  - ❖ NYSUT At-Large Director
  - ❖ NYSUT Election District Director
- Nominees' Forum Participant Request Form
- Candidate and Caucus Services Request Form
- Caucus Notification Form
- Balloting and Tabulation Observer Designation Form

All original signed and completed forms must be returned to the NYSUT Elections Committee, c/o Office of the President, 800 Troy-Schenectady Road, Latham, NY 12110-2455.

### **XII. SPECIAL ELECTION PROCEDURES**

In the event of a vacancy in a NYSUT officer position, in an at-large director position or in a geographic election district director

office, which occurs between election-year Representative Assemblies, the following special election procedures shall apply:

#### **A. Procedure to fill an officer vacancy, or an at-large vacancy on the NYSUT Board of Directors**

Pursuant to NYSUT Constitution, Article IX §6(o), the NYSUT Board of Directors is empowered to fill all officer and all at-large director vacancies that may occur between election-year Representative Assemblies. The following procedures shall apply in either instance:

1. Upon determination by the President that a vacancy exists, an election date shall be set. The election shall be not less than twenty-nine (29) or more than ninety days (90) from such determination.
2. A notice of vacancy will be published in the *NYSUT United*. That notice shall provide at least twenty (20) days for the filing of nominations with the Office of the President.
3. Nominations must be accompanied by a petition signed by at least fifty (50) NYSUT members in the case of a statewide officer position and at least eight (8) NYSUT members in the case of an at-large director position. The nominating petition shall include each member's name, his/her local, and his/her NYSUT identification number.

4. The election will be by roll call vote of the members of the NYSUT Board of Directors. A majority vote is required for election. Should a second balloting be necessary to determine the results of an election, the two nominees with the highest number of votes in the first election will be nominees. In the event that there is a tie for the second highest number of votes, the candidate with the highest number of votes and all candidates tied for second shall be placed on the second ballot. The meeting must remain in session until there are no more than two candidates on the ballot, and one candidate is elected by the Board.

5. If there is only one candidate, the Secretary-Treasurer shall be directed to cast a single vote on behalf of that candidate.

6. The person elected shall serve the unexpired term.

#### **B. Procedure to fill an Election District vacancy on the NYSUT Board of Directors**

1. The President shall call a special election meeting of all duly certified delegates and alternates within the Election District for the purpose of electing a successor district director to serve the balance of the unexpired term.

2. NYSUT members who were reported as the elected delegates to the most recently conducted Representative Assembly shall be eligible to vote in the special election conducted within the Election District. Any

reported elected alternate to the most recently conducted Representative Assembly may vote in the absence of a delegate from the same local or council (NYSUT Constitution, Article IX, §(4)(b)).

*NOTE: Certified delegates and alternates serve until successor delegates and alternates are certified, except that no delegate or alternate may continue to be certified if the member or local is considered in bad standing in accordance with Article IV §2(g) and Article VIII §3 (f) of the NYSUT Constitution.*

3. Notice of the special election meeting shall be sent to all duly certified delegates and alternates of record in the Election District within twenty-one (21) days of the NYSUT President's receipt of notification that an Election District vacancy exists.

4. Notice of the special Election District meeting shall be also printed in the *NYSUT United* and mailed so that it is received by members at least twenty days (20) days in advance of the scheduled election.

5. After proper notification to all members in the Election District has been completed as provided for in paragraphs 3 and 4 of this subdivision, voting may be cancelled by the Elections Committee for the position of Election District Director, following the period of open nominations, provided that there is only one candidate who has filed a validated nominating petition to fill the vacant position. In such instance, the Chair of the Elections Committee shall certify that voting is unnecessary and the candidate shall then be deemed elected by the Elections Committee.

6. A list of all certified delegates and alternates within the Election District shall be printed and made available to the RA Credentials Committee member or his or her designee and the Chair of the Elections Committee or his or her designee at the special election meeting being held to elect a successor district director.

7. The election to fill the vacancy shall take place not less than twenty-nine (29) days and no more than ninety (90) days after the mailing of the notice of the meeting to the duly certified representatives/alternates of record.

8. Notification and election procedures for handling Election District director vacancies which occur between June and August shall be drawn up and implemented at the discretion of the NYSUT President.

9. The RA Credentials Committee member from the election district or his or her designee shall supervise registration of certified representatives or, in his/her absence, the chairperson shall appoint a member to serve.

10. The Chairperson of the NYSUT Elections Committee or his or her designee shall serve as chairperson of the meeting

and the chair shall appoint a secretary of the meeting.

11. Nominations of candidates to fill the district director vacancy shall be timely submitted in writing, to the NYSUT Elections Committee c/o NYSUT Office of the President, in the manner specified by the Notice of Nomination and Election. Candidates must be NYSUT members in good standing at the time of their nomination.

12. Each candidate shall be given an opportunity to address the special election meeting for a period not to exceed three (3) minutes.

13. The chairperson may appoint an elections committee composed of not less than three (3) representatives from that district to assist with the election, none of whom shall be candidates for the position of Director. The chairperson and/or the members of the elections committee shall be responsible for the distribution and counting of ballots, and for the submission of the tally of the vote in accordance with prescribed procedures.

14. Candidates may observe or designate observers for the counting of ballots.

15. The chairperson, either individually or through the elections committee, will tabulate the results according to Article C, Section 1(b) of NYSUT's Bylaws, which states: "The votes of a local or retiree council shall be divided evenly among the delegates present at the time of voting. Votes shall be evenly divided to four (4) decimal positions by the Elections Committee at the time of tabulation. Election results will be reported by rounding the results to zero decimal positions."

16. Should a second balloting be necessary to determine the results of an election, the two nominees with the highest number of votes in the first election will be nominees. In the event that there is a tie for the second highest number of votes, the candidates receiving the highest number of votes and all candidates tied for second shall be placed on the second ballot. The meeting must remain in session until there are no more than two candidates on the ballot, and a candidate is elected Election District Director.

17. The chairperson of the meeting shall complete election report forms and shall be responsible for filing the proper reports and ballots at Headquarters as required by federal/state regulations.



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