

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

2018 CAMPAIGN AND ELECTION PROCEDURES

1. Application of the AAUP Constitution, the AAUP Election Rules, and the Constitution and Bylaws of the Assembly of State Conferences

The election will be conducted, insofar as lawful and practicable, in accordance with the provisions of the AAUP Constitution, the AAUP Election Rules, the ASC Constitution and Bylaws, and the Labor-Management Reporting and Disclosure Act (LMRDA) of 1959, as amended.

2. Positions to Be Elected and the Terms of Office

The 2018 elections will include the following races:

- four (4) two-year term officer positions (president, first vice president, second vice president, and secretary-treasurer);
- four (4) four-year term at-large Council positions;
- one (1) four-year term Council position in Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10; and
- one (1) two-year term ASC chair position

3. Eligibility to Hold Office

AAUP active members, graduate-student members, or retired members are eligible to run for a district Council seat if they are employed in the district and are current in their dues. AAUP active members, graduate-student members, or retired members who are current in their dues are eligible to run for an AAUP officer position or an at-large Council seat.

Section 504 of the LMRDA prohibits persons convicted of certain crimes—including robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, and violations of Title II of the LMRDA—from holding office for thirteen (13) years after conviction or after their release from imprisonment, whichever is later.

4. Nomination/Election Notice

A call for officer and council nominations was published in the July–August, September–October, and November–December issues of *Academe*. Multiple electronic notices and reminder emails were sent to all members and to chapter leaders from September up until the December deadline. Complete information about the nomination process was also posted on the AAUP website.

The call for ASC chair nominations went out by e-mail to state conference leaders on November 8, to chapter leaders in states with active conferences on December 11, and to state conference leaders and members in states with active conferences on December 18. Complete information about the nomination process was also posted on the AAUP website.

The election notice will be mailed to all eligible AAUP members at their last-known home address as part of the ballot package. For eligible AAUP members with no known home address, the election notice, but not the ballot package, will be mailed to the member’s work address.

5. Determining Candidate Eligibility

The AAUP will review its membership records to verify the eligibility of all nominees. Each nominee will be advised of the AAUP's determination by electronic mail.

6. Candidate Statements and Biographical Information

All candidates may submit a candidate statement and a biography. The candidate statement shall not exceed five hundred (500) words for officer candidates and three hundred fifty (350) words for Council and ASC chair candidates. The biography shall not exceed three hundred (300) words.

The candidate statements and biographies can be submitted at any time to Kristopher Gleason at election2018@aaup.org. The AAUP's staff will not edit these documents. Staff will begin posting them on the AAUP's website on February 13, 2018. After that date, candidates should check the AAUP's [election website](#) to make sure that their submitted materials have been posted. If any materials are missing, they should contact Kristopher Gleason. There will be a URL for the candidate statements and biographies in the ballot package as well as a telephone number that members can call to request that candidate statements and biographies be mailed to them.

7. Inspection of Membership List

Once within thirty (30) days of the election, each candidate has the right to inspect a list containing the names and last-known home addresses of all AAUP members. No candidate is entitled to a copy of the list. The membership list will be maintained in the AAUP office in Washington, DC, and will be available for inspection beginning on February 3, 2018, from 9:00 a.m. to 4:00 p.m., Monday through Friday, exclusive of federal holidays, until the date the ballots are mailed. Any candidate who wishes to inspect the list should notify Rebecca Lewis of the AAUP at rlewis@aaup.org.

8. Distribution of Campaign Literature

Candidates who wish to distribute campaign literature by regular mail must contact Rebecca Lewis at electioneering@aaup.org so they can be furnished with mailing labels. Requests will be honored in the order received. Candidates will be required to make an advance payment of \$250 to cover the cost of the mailing labels for all addresses in one district. Candidates may also purchase a set of mailing labels for all eligible AAUP voters at a cost of \$600, with payment in advance.

Any candidate who wishes to distribute campaign literature by electronic mail must contact Rebecca Lewis at electioneering@aaup.org. Candidates must make advance payment for each message: messages sent to all eligible AAUP members will cost \$500; messages sent to eligible members within a Council district will cost \$250. The electioneering e-mails will be sent by the AAUP through its third-party vendor to ensure that all eligible members with e-mail addresses on file with the AAUP receive the electioneering e-mails. The electioneering e-mails will be sent using the candidate's e-mail address. There will not be a limit on how many electioneering e-mails are sent by the candidate as long as the candidate pays for each e-mail message. Since the third-party vendor will send the messages in HTML format, messages should be submitted to Rebecca Lewis in HTML or plain text format. Microsoft Word documents with minimal formatting, though less preferable, will also be accepted.

Electioneering e-mails will not be sent to .edu addresses for members employed at public universities and colleges in New York. Therefore, candidates will have the option of purchasing for \$25 a set of mailing labels for those members at public institutions in New York for whom the AAUP does not

have a private e-mail address.

9. Campaign Restrictions

The LMRDA requires that all candidates be treated equally regarding the opportunity to campaign. In addition, Section 401(g) of the LMRDA provides that any money received by the union or any other labor organization by way of dues, assessments, or similar levy, or monies of any employer may not be used directly or indirectly to support the candidacy of any person in a union officer election. This prohibition extends to equipment, vehicles, office supplies, records, and personnel of the AAUP or any other labor organization and to employers, whether or not they employ union members. Accordingly, union officers and employees may not campaign on time paid for by the union.

- Candidates and their supporters are required to observe all applicable employer regulations when posting campaign notices or placing campaign literature in public locations and to respect materials placed in public locations in support of opposing candidacies.
- Candidates may not send campaign related e-mail messages from union or employer e-mail addresses or computers. Campaign related e-mail messages may be sent from private, non-employer-supplied e-mail addresses. The campaign e-mail messages may be sent to members at their employer e-mail address as long as a union list of members and/or union list of members' e-mail addresses is not used. A union list is one that was created by the union or by someone in his or her capacity as a union official. Candidates may not send campaign e-mails to members that have employer e-mail addresses and are employed at public universities and colleges in the state of New York.
- Candidates can make campaign calls, provided that they use a personal list to make those calls from a personal cell phone or home phone.
- Candidates must campaign on their own time. If candidates are in a pay status with the employer or the union, they should not be campaigning.
- Candidates must keep all receipts for campaign purchases (including copies of campaign literature) to demonstrate that they paid full market price for all products and services.
- Candidates must keep track of all campaign donations to prove that all funds contributed to their campaigns were from private individuals—as opposed to the union or employers.
- Section 401(e) provides that members may not be subjected to penalty, discipline, or improper interference or reprisal of any kind in the exercise of their right to support the candidate of their choice.
- If you witness any candidate, potential candidate, member, or anyone else engaging in the activities enumerated in this section, immediately contact staff to the AAUP's Election Committee and provide a detailed description of what you believe occurred.

10. Endorsements

Individuals serving on either the Election Committee or the Election Appeals Committee may not endorse candidates for any AAUP office. Other individuals may endorse candidates, but AAUP members who hold office in the Association at any level—national, state, or local—who wish to list their AAUP positions in such an endorsement may do so only if an asterisk is placed next to their name with the following statement: “The organizational affiliation is listed for identification purposes only and does not imply any endorsement by the organization.”

11. Voter Eligibility

A ballot will be mailed between March 3 and March 7 to every person who is an AAUP member in

good standing as of February 1, 2018 (exclusive of the dues grace period). (See Section V, Election Schedule, of AAUP Election Rules.) Members who do not have a home address on file with the AAUP but who do have a work address on file will be sent a postcard at their work address notifying them that they are not receiving a ballot because their home address is not on file with the AAUP. The postcard will give instructions on how to provide the home address in order to receive a ballot. Members are allowed to provide a post office box address.

12. Ballot Preparation and Mailing

The AAUP has selected Election-America as the balloting company in this election. The method by which elections are conducted shall be at the discretion of the AAUP and in conformity with appropriate Department of Labor regulations.

- A. Elections shall be conducted by mail ballot in a manner that ensures the secrecy of the ballots cast.
 - 1. Secrecy is ensured by the use of a double-envelope system for return of the voted ballots with the necessary voter identification appearing only on the outer envelope in regular-mail elections.
 - 2. In the case of the election of district-elected Council members, ballots shall be mailed to all eligible voters within the relevant districts.
- B. Ballot packages shall be mailed to members' home addresses. During the balloting period, the AAUP shall attempt to obtain accurate home addresses for any ballot packages mailed to members that have been returned as undeliverable. Ballot packages with updated addresses shall be re-mailed as soon as possible.
 - 1. Information to members about how to request another ballot if the ballot package is not received or if a member has spoiled a ballot in the process of voting shall be included in the ballot package and posted on the national AAUP website.
 - 2. The AAUP shall maintain a list of the names and addresses of any members who request replacement ballots.
 - 3. Return envelopes containing replacement ballots shall be suitably coded to prevent double counting of ballots.
 - 4. The AAUP shall keep a record of all replacement ballots sent in response to requests and all ballot packages that were re-mailed after having been returned as undeliverable, including dates received and mailed.

13. Collection and Tally of Ballots

The counting of ballots shall be conducted as follows:

- A. The opening and counting of ballots may begin only at the scheduled times and dates established by the AAUP.
- B. Candidates shall be notified of the locations, dates, and times of such counting.
- C. The AAUP will provide a voter-eligibility roster to the counting organization to ensure that votes counted from all returned envelopes have been cast by eligible voters.
- D. At least one Election Committee member and one AAUP staff member shall witness the opening and counting of ballots.
- E. All ballots shall be secured during any hiatus in the counting.

In case of a tie vote, the outcome of the election will be determined by a coin toss under the supervision of AAUP representatives.

14. Observers

Each candidate is permitted to have an observer present at the preparation and mailing of the ballots and at their receipt and counting by the counting organization, regardless of whether the ballots are returned by members to a mail box or to a vendor. The AAUP will notify the candidates of the scheduled locations, dates, and times. Observers may also witness the pick-up and re-mailing of ballot packages.

- A. A candidate may serve as his or her own observer or he or she may designate an alternate observer.
- B. Observers should not interfere with or disrupt the counting of the ballots. Their role is limited to observing the election process, asking procedural questions, challenging defective ballots, and lodging protests with AAUP election officials as appropriate.
- C. Observers should be allowed to monitor the election process, but they may not compromise, or give the appearance of compromising, the secrecy of the ballots.
- D. Observers do not have the right to count ballots or handle the ballots in any fashion.

15. Election Results and Preservation of Records

The AAUP will post the results of the election on its website and preserve all nomination and election records for a period of at least one (1) year after the election, as required by federal law.

16. Installation of Officers and Council Members

The terms of office of newly elected officers and Council members begin immediately following the close of the last session of the Council meeting occurring after and in connection with the annual meeting.

17. Election Protests

Any member may protest the election for valid cause. Protests must be filed in writing, by certified mail, return receipt requested, with the AAUP Election Committee, along with all supporting documentation, as soon as possible, but no later than ten (10) business days after the date on which final vote totals are announced. The protest must clearly state that it is an "Election Protest," must specify the particular election rule(s) or constitutional provision(s) allegedly violated, and must comply with the rules governing election protests as set forth in Section VIII, Election Committee, of the AAUP Election Rules.

Election protests should be sent to

Gregory F. Scholtz
Staff to the Election Committee
AAUP
1133 19th Street NW, Suite 200
Washington, DC 20036-3655
Fax: 202.737.5526
Email: gscholtz@aaup.org

18. Appeals

Any AAUP member or affected candidate may appeal an adverse decision of the Election Committee involving a protest in which he or she is involved by submitting the appeal, in writing, by certified mail, return receipt requested, to the Election Appeals Committee no later than ten (10) business days after the date on which the final vote totals are announced or ten (10) business days after the Election Committee has communicated its decision to the protesting member, whichever date is later, and must comply with the rules governing election appeals as set forth in Section IX, Election Appeals Committee, of the AAUP Election Rules.

Election appeals should be sent to

Jamie Daniel
Staff to the Election Appeals Committee
AAUP
1133 19th Street NW, Suite 200
Washington, DC 20036-3655
Fax: 202.737.5526
Email: jdaniel@aaup.org

NOTE: The above guidelines are not all inclusive. Additional election procedures or clarifications may be issued as needed during the election period.