



National Education Association - New Mexico

Great Public Schools Begin With Us!

Mary Parr-Sánchez
President

Bethany Jarrell
Vice President

Charles Bowyer
Executive Director

NEA-NM BOARD MEMBER RESPONSIBILITIES

MEMORANDUM

TO: Candidates for NEA-NM Board of Directors
FROM: Mary Parr-Sanchez, President
DATE: October 26, 2019
RE: Duties and Responsibilities

The NEA-New Mexico Board of Directors requests that all Board candidates receive a packet of information that details the role and responsibilities of the Board of Directors and its members as found in our Constitution, Bylaws, Standing Rules, and Board Policies. It also contains a statement that may be signed on a voluntary basis by any person who is nominated or files to run for the Board. The statement indicates that the candidate has read and understands the responsibilities and duties of Board members and is willing and able to fulfill those responsibilities and duties. Attached please find the aforementioned packet. If you decide to voluntarily sign the statement please do so and return to me at your earliest convenience.

I thank you on behalf of all NEA-NM members for your interest in serving our Association as a member of our Board. Our success as an organization depends on the commitment and efforts of our volunteer leaders, and I commend you for your dedication.

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Putting Kids First • Promoting Professional Excellence • Improving the Well-Being of School Employees

**NEA-New Mexico
Duties and Responsibilities Form
For
Candidates to the NEA-New Mexico Board of Directors**

All candidates for NEA-New Mexico Board positions are asked to voluntarily complete and return this form to the President by the close of business at the Annual Delegate Council.

My signature on this form confirms:

I have received the packet outlining board duties and responsibilities.

I have read and understand the board member duties and responsibilities.

I am willing and able to fulfill those duties and responsibilities.

Signature

Name (please print or type)

Address

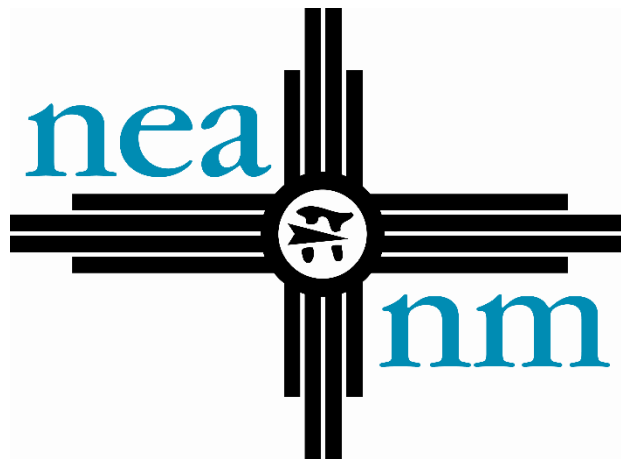
City

Local Association

Region or ESP At-Large

NEA-NEW MEXICO

Board of Directors Policies & Operational Guidelines



Adopted by the NEA-NM Board of Directors
As last amended on June 9, 2018

I. GOVERNANCE OF THE ASSOCIATION

A. Board of Directors

1. Authority, Power & Duties

The Board of Directors is established in NEA-New Mexico Constitution ARTICLE I. Section 3, and ARTICLE V and derives its power and duties from By-Laws 5. In addition to the powers and duties enumerated in By-Laws 5.6, the Board shall:

- a. Serve as the interim governing body of the Association between meetings of the Delegate Council;
- b. Approve the time and place for meetings of the Association, the Board of Directors and committees;
- c. Provide for records of proceedings and for appropriate publication of such records;
- d. Approve the rules of committees and task forces, and act on their recommendation, as appropriate;
- e. Approve requests for affiliation;
- f. Approve action(s) by affiliated locals prior to such action becoming binding on the Association;
- g. Approve UniServ boundaries as recommended by the Executive Director;
- h. Approve the employment and assignment of professional staff as recommended by the Executive Director;
- i. Authorize the signatories of all Association bank accounts and dispersal funds;
- j. Prepare, review, and regularly update Board policies, as appropriate; and, take such other actions, as the Board may deem necessary, appropriate and in the best interest of the Association provided such actions are not inconsistent with the governing documents, policies or actions by the Delegate Council.
- k. Evaluate the performance of the Executive Director on an annual basis. (Appendix H: NEA-NM Executive Director Evaluation Process and Timeline)

2. Responsibilities of Directors

In order to promote Public Education and be an advocate for NEA-NM and NEA, all NEA-NM Board members accept certain responsibilities when elected to the Board. Those responsibilities fall into the categories as included below:

- a. Support Board actions, decisions, procedures, and their impact on NEA-NM.
- b. Report Board actions, but not the discussion with attribution to individuals to local presidents or constituent groups, as appropriate;
- c. Be familiar with the structure of the Association;
- d. Adhere to the rules of confidentiality regarding Board Executive Sessions;
- e. Abstain when a conflict of interest for the Director is involved;
- f. Do not benefit financially from membership on Board.

Membership

- a. Serve as a resource to region chairs and staff to assist in increasing membership in all focus locals in the region and/or constituent groups, as appropriate;
- b. Regularly report membership activities and numbers of new members and, for those elected from regions, report such activities and numbers from focus locals within the region;
- c. Comply with requirements of Board members to solicit membership;
- d. Serve as a resource to local presidents to drive NEA information and data deeper into the membership.

Leadership Development

- a. Identify new leaders at the local, region, and state level. Provide such emerging leaders with information regarding training opportunities and encourage participation in such training;
- b. Communicate regularly with local presidents in the Directors' region.

Governance

- a. Attend, come fully prepared and actively participate in all Board, Council, and special meetings where directors' participation is required. When unable to attend, insure that alternate is prepared to participate fully in the meeting;
- b. Support and promote all programs and policies established by the Council and/or Board;
- c. Accept presidential appointments and carry out the work required;
- d. Follow the norms established by the Board of Directors:
 - Create a safe environment
 - Enter discussion without a decision—no done deals
 - Agree to disagree with respect to others' ideas, views and diversity
 - Honor and value all opinions
 - Be succinct
 - Express opinions openly—be responsible for your opinion
 - Know, honor, use and refer to relevant policies and guidelines to clarify issues and make decision
 - Keep a sense of humor
 - Explain the meaning of one's own silence and test the meaning of other's silence; silence is OK. Ask a question if you have one—check for understanding as needed
 - Honor the Board's decision. Decisions made by a majority of the Board shall be considered the decision of the entire Board, except in the case of NEA elective offices. Individual Board members must either support the decisions or refrain from actively opposing such decisions.
 - Seek options that meet everyone's interests—including personal interests
 - Remain in inquiry and dialogue until all relevant clarifying questions are asked and answered

2.4 Policy Making

- a. Decide issues in the best interests of the Association as a whole, while representing and respecting the diverse populations of the region of constituent group;
- b. Be knowledgeable about:
 - Constitution and By-Laws at all levels of Governance
 - Resolutions at all levels of Governance
 - Council Actions
 - Association Goals and Objectives
 - Association Budget
 - Board Policies
 - Commission and Task Force Reports and Standing Rules
 - His/her constituency

3. Procedures for Board Meetings

- a. Meetings of the Board of Directors, either in person or via telephone conference call, may be called by the President at his/her discretion or written request of any four (4) members of the Board.

- b. A majority of the members of the Board of Directors shall constitute a quorum.
- c. No voting by proxy shall be permitted at Board of Director meetings.
- d. The Association shall assume expenses of holding Board meetings.
- e. Roberts Rules of Order, Newly Revised, shall be used as the parliamentary authority of the conduct of Board meetings except as otherwise provided by these policies.
- f. The presiding officer shall have the authority, with consent of a majority of the Board, to change the order of the agenda.
- g. Except for financial matters, reports for purposes of information only shall be limited to five (5) minutes except that the Board may, by majority vote, suspend this rule.
- h. An executive session may be called at the request of any members of the Board with consent of majority of the Board, as provided in By-Laws 13.2 and 13.3.
- i. Discussion of an action issue should be permitted only when a motion has been made and seconded.
- j. Speakers shall be recognized in the order in which they request recognition except that a speaker may be recognized out of order to answer a question.
- k. Roll call votes shall be taken on all financial matters.
- l. The President's vote shall be recorded on all roll call votes.
- m. After two (2) consecutive hours of meeting, as the agenda permits, recess of at least ten (10) minutes duration should be declared.
- n. Materials concerning items for action should be sent to directors at least five (5) days prior to the meeting at which action is to be taken.
- o. Assign to the Executive Director the responsibility for recording the proceedings of the Board, compiling and distributing the minutes. Local presidents and state committee chairs shall receive copies of unofficial minutes of Board meetings.
- p. An amendment to the policies of the Board of Directors of NEA-New Mexico may be presented at any regularly scheduled meeting of the Board of Directors. Unless there is $\frac{3}{4}$ vote of directors present to consider the amendment at the meeting, the amendment will be placed on the agenda for consideration at the next regularly scheduled meeting of the Board of Directors.
- q. The business meetings for the Board of Directors and the Annual Delegate Council will be tape-recorded. Such taping shall exclude executive sessions. Tapes shall be discarded 12 months following the meeting of the governing body.
- r. In the event that an action of the Board of Directors is required between regular meetings of the Board, with the approval of the NEA-NM President in consultation with the Executive Director, a motion can be offered and a vote can be taken via either paper ballot if time allows or via-email. The motion will be recorded with the results in a set of minutes to be approved by the Board at the next regular meeting.

4. Region Training Activities

Board of Directors members from a governance region will be notified of all training activities conducted by staff for region members and may attend such meetings as appropriate.

5. NEA Board of Directors Members

- a. The NEA Director(s) and Alternate(s) shall be elected in accordance with NEA policies, guidelines and requirements for said positions. The NEA Alternate Director shall be automatically elected as a delegate to the NEA RA. This designation will be reflected on the statewide ballots.
- b. The NEA Director(s) and Alternate(s) shall:

- Exercise leadership in interpreting NEA policies and programs at the state, local, and building levels
 - Exercise leadership in advancing the unified agenda
 - Be a part of the state leadership team which shall meet regularly to discuss ways to advance the state and national programs
 - Have a visible and meaningful role at state leadership conferences and delegate councils
 - Make a verbal or written report at state board meetings and delegate councils
- c. The NEA Director(s) and other members of the state leadership team shall meet or confer prior to NEA Board meetings for the purpose of discussing agenda items. The team shall also meet or confer following NEA Board meetings to discuss actions taken.

BYLAWS
of the
NATIONAL EDUCATION ASSOCIATION OF NEW MEXICO
October 28, 2017
(Becomes effective 9/1/2018)

5. BOARD OF DIRECTORS

5.1 Composition

The Board of Directors of the Association shall be constituted on the basis of one-person-one-vote and shall consist of:

- a. the President who shall be the chairperson;
- b. the Vice President;
- c. one member elected by the Active membership of each Board Election District within each Region for each seven hundred (700) Active members or major fraction thereof, within the Board Election District within each Region; such directors shall, for the purposes of these bylaws be identified as Region or Regional Directors;
- d. one member elected by the Student NEA for each seven hundred (700) members or major fraction thereof;
- e. such at-large members as may be guaranteed by the Constitution;
- f. the NEA Director for New Mexico; and
- g. the Alternate NEA Director for New Mexico.

5.2 Election of Region Directors

- a. Election of NEA-NM Directors shall be governed by procedures established in the NEA-NM Standing Rules.
- b. The number of Directors to which each Board Election District is entitled shall be determined by final membership for the previous membership year. In the event that the number of members mandates a reduction or increase in the number of Board of Directors members for a region, the procedure for such reduction or increase shall be established by the Board of Directors in compliance with the NEA-NM Bylaws. The reduction or increase will become effective July 15 following the next regularly scheduled election.

5.3 Alternate NEA-New Mexico Directors

a. Each Region Council shall appoint Alternate Region Directors for each Board Election District who shall represent the Board Election District on the NEA-New Mexico Board of Directors in the event of a Region Director's inability to execute his/her duties for a temporary period or, in the case of a vacancy, until the next regular NEA-New Mexico election. The vacancy created when the Alternate Region Director serves as a Director may be filled by appointment of the Region Council.

b. Alternate(s) for the elected member(s) of the board of directors representing retired members shall be elected through the internal elections conducted by NEA-NM Retired in the same cycle as NEA-NM retired positions come up for election.

c. The NEA-New Mexico Board of Directors shall appoint Alternate Directors for At-Large Members who shall represent that membership in the event of an At-Large Director's inability to execute his/her duties for a temporary period or, in the case of a vacancy, until the next Delegate Council Meeting.

5.4 Vacancies

a. When a vacancy in the office of Regional Director or Retired Director occurs through death, resignation, recall, change in employment, change in region residency, or through other disqualification, the replacement for the unexpired term shall be the Alternate Director until the next regular NEA-New Mexico election. The vacancy created when the Alternate Region Director serves as a Director may be filled by appointment of the Region Council.

b. When a vacancy in the office of an at-large Director occurs through death, resignation, recall, change in employment

or through other disqualification, the replacement for the unexpired term shall be appointed by the Board of Directors until the next Delegate Council meeting.

5.5 Membership Restriction

a. A Director shall immediately relinquish the position held on the Board when such director ceases to be employed in the category represented.

b. When a Director has been absent without presentation of valid reason for two (2) meetings in a year, the Board of Directors may, by majority vote, declare the position vacant.

5.6 Powers and Duties

The Board of Directors shall:

a. be the body to whom the executive officers and the Executive Director shall be accountable;

b. implement all orders and resolutions of the Council and may devise and put into operation other regulations not inconsistent with the objectives of the Association, or the orders and resolutions of the Council;

c. employ and annually evaluate the Executive Director;

d. determine the time and place of the Council meetings and, in the event of an emergency, shall have the power to call or postpone a Council meeting by a two-thirds (2/3) vote;

e. establish procedures and/or requirements for affiliation consistent with the standards as set forth in the Bylaws;

f. receive all reports of the Executive Director and of committees, and shall transmit with its recommendations such reports as may be appropriate to the Delegate Council;

g. act on committee appointments as submitted by the President;

h. keep a full record of its proceedings and make provision for appropriate publication of records;

i. prepare its common policies in written form;

j. approve the auditor for the Association's financial affairs.

k. establish dues for NEA-New Mexico retired, student, and reserve members.

l. adopt and approve changes in the Association Budget. However, any meeting of the Delegate Council may, by a 2/3 vote of the delegates, require the Board to amend the budget in accordance with the directives of the Council.

5.7 Recall

Directors or Alternate Directors of the Association may be recalled for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

a. Recall proceeding against a Director or Alternate Director shall be initiated by written petition submitted to the Board of Directors by at least:

(1) twenty-five (25) percent of the Active membership in the Region represented by the Director or Alternate Director in question, or

(2) fifty (50) percent of the local presidents of the Region represented by the Director or Alternate Director in question.

b. The Board of Directors (excluding the Director involved) shall certify the validity of recall petitions from Council Delegates or from the membership.

c. The Board of Directors shall direct the Executive Director to convene the Review Board to hear recall cases within fifteen (15) days of validation of recall procedure used.

d. If the Review Board sustains the charge by two-thirds (2/3) vote, the Board of Directors shall arrange for a recall vote by the ACTIVE membership within thirty (30) days of the decision of the Review Board. Ballots will be sent to ACTIVE members in the affected Region.

(1) The ballot shall have printed two choices: "This Director shall be recalled", and, "This Director shall not be recalled".

(2) Voting shall be by secret ballot and shall follow regular election

procedures as outlined by Standing Rule 6.

e. The Board of Directors shall certify the election. The Director involved may not participate in the certification of recall procedures.

f. The Board of Directors shall report the results of the election to local presidents not later than twenty (20) days from the time the ballots are sent.

g. At-large Directors may be recalled by the same method(s) set forth in the Constitution and Bylaws for the recall of executive officers.

5.8 Change in Region or Board Election District Composition

If the Region or Board Election District Configuration of locals changes during the term of office of an elected board member, that board member will continue to serve until the expiration of the term to which elected if the new Region when taken as a whole still qualifies for the board position. The board member will continue to serve even if from a local within the Region but not within the Board Election District; however, upon the expiration of the term or other relinquishment of the board position by the incumbent, the vacancy must be filled from the appropriate region or Board Election District. If the Region is not entitled by virtue of membership to the Board position it will be vacated and reduced as set forth in Bylaw 5.2.

STANDING RULES
of the
NATIONAL EDUCATION ASSOCIATION OF NEW MEXICO

**RULE 9. ELECTIONS COMMITTEE
AND PROCEDURES**

A. Composition of Committee

An Elections Committee of at least five (5) members shall be appointed by the NEA-New Mexico President with the approval of the Board of Directors for a term of one (1) year.

B. Duties

The Committee shall be responsible for conducting elections. The Elections Committee shall develop procedures for the conduct of all elections in a manner that assures adequate notice to all eligible voters, open nominations, and secret ballots.

C. Candidates

1. **Declaration of candidacies.** The declaration of candidacy for the offices of NEA-New Mexico President, Vice President, Region Members of the NEA-New Mexico Board of Directors, Region EdPAC Members, EdPAC member representing NEA-NM retired members, Retired Member(s) of the NEA-New Mexico Board of Directors, Student Member of the NEA-New Mexico Board of Directors, NEA Director, Alternate NEA Director, and EdPAC must be received in the NEA-New Mexico office no later than the close of business on October 20 of the calendar year preceding the calendar year of the election; and for the NEA-New Mexico Educational Retirement Board member no later than the close of such nominations at the Delegate Council. Nominations for State NEA Representative Delegates, Cluster NEA Representative Delegates, Student NEA Representative Delegates, and Retired NEA Representative Delegates must be received no later than the close of such nominations at the Annual Delegate Council of the calendar year preceding the calendar year of the election.

A member may declare candidacy for at-large Board of Directors members as

necessary before the close of nominations at the Delegate Council.

2. NEA-New Mexico will provide each candidate with a directory of local presidents, NEA-New Mexico committee members, and Board of Director members from the area to be represented by that position. Individual member information is proprietary and will not be provided to candidates except as provided in #3 below.

3. Candidates for retired positions may receive a contact list of all NEA-New Mexico retired members. Such candidates shall sign an affidavit indicating that the lists will be used only for campaign purposes and no other purpose.

4. Candidates for NEA Director and Alternate NEA Director will be provided NEA election rules and regulations by NEA-New Mexico.

5. Within fifteen days after nomination, NEA-New Mexico will provide each candidate with a copy of this rule and the elections calendar and procedures.

D. Elections at Delegate Council

1. The delegates to the Council shall elect, through secret ballot, at-large Board of Directors members as necessary to comply with the provisions of Article V of the NEA-New Mexico Constitution, the member to the Educational Retirement Board and vote on amendments to the Bylaws of the Association, except as provided by the Constitution. Each certified delegate to the Council shall be eligible to vote.

If the number of candidates nominated equals the number of positions to be filled, the chair shall declare such candidates elected.

2. **Candidate speeches at Delegate Council.** Candidates' speeches are limited to two minutes each for candidates for office to be elected at Delegate Council.

E. Statewide Elections

The ballot to be sent to the membership of NEA-New Mexico shall be prepared by the Board of Directors. As necessary, the ballot shall provide for the election of Executive Officers, NEA Director and Alternate, Amendments to the NEA-New Mexico Constitution, and the Bylaws Amendments specified in the governing documents.

The Ballot for the Retired Member of the NEA-New Mexico Board of Directors and for the EdPAC member representing NEA-NM retired members shall be prepared by the Board of Directors. Only retired members of the NEA-New Mexico shall be eligible to vote for these positions.

The Ballot for the Student Member of the NEA-New Mexico Board of Directors shall be prepared by the Board of Directors. Only student members of the NEA-New Mexico shall be eligible to vote for this position.

An announcement of the time and place of the lottery for placement on the ballot will be made by the Elections Committee Chair immediately following the close of deadlines. All ballots for office shall include a space for declared write-in candidates.

The timelines and procedures shall be developed by the Elections Committee to ensure open nominations and a secret ballot.

F. Board of Directors/EdPAC Regional Elections

Immediately after the approval of the elections calendar, NEA-New Mexico will inform each Region Chair of the positions of NEA-New Mexico Director and/or EdPAC that are open; it is expected that regions will inform members of these openings. A declaration of candidacy shall be submitted to the NEA-New Mexico President. All ballots for office shall include a space for declared write-in candidates, provided that declarations are

in accordance with the deadline set in elections procedures. However, write-in candidates are always allowed for all NEA delegate elections.

The timelines and procedures shall be developed by the Elections Committee, including the deadline for declaration of write-in candidacy.

If the number of candidates nominated, including write-in candidates who have declared their write-in candidacy in accordance with timelines and procedures established by the Elections Committee, equals the number of positions to be filled, the Board of Directors shall declare such candidates elected.

G. Campaigns

1. No dues money shall be used to promote the candidacy, directly or indirectly, of any individual for an NEA-NM office.
2. All candidates will retain receipts and other records of expenditures for their campaign, as well as records of contributions, in accordance with NEA guidelines. All candidates will file a report of campaign expenditures and contributions upon request by the Board of Directors.
3. Campaign materials may include, but are not limited to, flyers, posters, blogs, websites, or any other electronic/social media.
4. Campaign materials, as described above, may not include pictures, names, images, likenesses, or any other media of any NEA-NM staff member, including NEA-NM attorneys and office/regional staff.
5. Campaign materials, as described above, may not include pictures, names, images, likenesses, or other media of present or past Association logos, the NEA logo, the symbol of the united education profession, or other symbols connected to the NEA-NM, the NEA, or the local affiliates of NEA-NM or NEA.
6. Should a candidate wish to use an individual's photo, image, likeness, or name in his/her campaign materials, he/she must obtain the prior express written consent of that individual.

7. Endorsements and Promoting of Candidates.

- (a) In its regular course of business, the membership or leadership of a governing body may endorse a candidate for office. The NEA-NM Board of Directors will not, as a body or a group therein, endorse any candidates for internal NEA-NM elections.
- (b) A governing body may invite all candidates to a meeting under the guidelines. Adequate advance time will be made for all candidates to prepare a written presentation or designate a representative to speak on their behalf if they cannot attend in person.
- (c) If an endorsement has been made, no NEA-NM funds will be used to encourage members to vote for a particular candidate.
- (d) NEA-NM membership/leadership publications will not be used to announce an endorsement. A publication may encourage the membership to exercise their right to vote.
- (e) NEA-NM staff will have no involvement in promoting the candidacy of any individuals for NEA-NM or NEA office, including but not limited to direct contributions, purchase of raffle tickets, contributions of items for raffles or drawing, in-kind services, or any other economic or financial incentives to candidates.

8. While NEA-NM funds may not be used to publicize or encourage support, the following is permissible:

- (a) The candidate may use the endorsement in his/her own campaign materials.
- (b) An officer of the Association or any other member, or combination of members, may use his/her own money, or that of the candidate, to encourage support from members. In a personal letter, or any other type of personal communication, an officer may mention his/her prior or current title(s).

Such letters may not be written on official stationery of the organization. Candidates may use these endorsements in their campaign materials accordingly. Including candidates and their supporters, as well as NEA-NM Leadership and members of governing bodies, may conduct raffles, lotteries, or drawings, to encourage the membership to exercise their right to vote. However, they may not offer any direct economic or financial incentives in exchange for voting.

- 9. Regularly published newsletters, electronic media, or any publication at all levels of governance will refrain from negatively reporting and/or sensationalizing candidates, or actively reporting and/or promoting candidates, or themselves, through news articles, announcements, and/or personal columns.
- 10. Normal publication practices may continue during the election period.
- 11. **Association Meetings.**
 - (a) A single candidate or combination of candidates shall not sponsor, nor have sponsored, a social or fundraising event that promotes the candidacy of one or more candidates while any official governance/business meeting of the organization is in session.
 - (b) Individual campaigning/events may take place before or after a scheduled Association meeting. Campaigning may take place before or after the function and between sessions. Campaign literature shall not be distributed during the meeting.
 - (c) All staff members shall absent themselves from any part of a session when governance is considering endorsements. They shall not be present at, or share in, the planning of any social and/or fundraising activity, or individual campaigning, as described in the

Guidelines, or any such activities as may reasonably be construed as participating.

12. **Role of Elected Leaders in Election Campaigns.**

(a) Elected school level, Local, District, and State officers retain their rights as members to participate in the affairs of the organization, including supporting and working on behalf of candidates for office. However, such campaign activities may not occur during official Association functions, while actually performing in the capacity of their office, and may not involve the expenditure of Association funds.

13. **Candidate Statements**

(a) Except for candidates' statements on the website and in the *Advocate's Voice*, NEA-New Mexico shall not print campaign materials for any candidate for NEA-New Mexico office. All candidates will be afforded the opportunity of placing statements on the NEA-NM website in accordance with election procedures developed by the Elections Committee.

(b) Candidates for President, Vice-president, NEA Director, and Alternate NEA Director may submit Candidate Statements of not more than 200 words in length will be published in the *Advocate's Voice*. The order of statements in the *Advocate's Voice* will appear in the same order as the ballot. Candidates are responsible for their own "portrait" photo. The deadline for the above will be included in the Elections Committee timelines and procedures.

(c) Candidates for President, Vice-president, NEA Director, and Alternate NEA Director may address the Delegate Council immediately preceding the election (provided that Delegate Council occurs between the close of

nominations and the election) for no more than five minutes for candidates for President and Vice-president and three minutes for candidates for NEA Director and Alternate Director.

H. Runoff Elections

Executive Officers, NEA Director and Alternate Director, and members of the NEA-New Mexico Board of Directors must receive a majority of the valid ballots cast in order to be elected.

If no candidate for each listed position receives a majority, runoff elections shall be held within thirty (30) days following the report of the Elections Committee to the Board of Directors. The names of the two persons receiving the most votes in the first election will be placed on the ballot, and election procedures shall parallel those of the first election.

I. Complaints

During the course of the election, candidates may report alleged violations of this standing rule supported with concrete evidence in writing to the executive director. If after investigation, it is determined that a violation has occurred, the executive director shall notify all candidates and the board of directors of the violation and request that the behavior cease, with a notification that continued violations may result in an ultimate challenge as to the validity of the election. If the charge is not substantiated, all candidates and the board of directors will be notified of that outcome.

J. Challenge Process

1. Candidates and members may bring forth a challenge as to the integrity of the outcome of the elections. This challenge is not whether there has been a violation of the election policy or procedure, but a challenge to the validity of the results. For any office election that is the subject of a challenge, all candidates for that office will be immediately informed of the challenge in writing. In considering a challenge, it is critical that the Board of Directors consider the election results

- reported to it and whether the challenge, if substantiated, would have produced a contrary result.
2. Any challenge must be filed by a date set by the Board as part of the election procedures for individual elections. Candidates will be informed within a reasonable amount of time the date of the Board meeting and may be present at the Board meeting when the challenge is considered.
 3. All challenges should be reviewed by the NEA-NM Executive Director and NEA-NM General Counsel to determine the validity of the challenge.
 - (a) The determination of when the Board of Directors should consider a challenge will be determined by the NEA-NM Executive Director and NEA-NM General Counsel on the basis of the content of the challenge and the complexity of the issues contained therein. Their review will also include what, if any, additional individuals and or information should be requested to appear before the Board of Directors to provide testimony related to the contents of the challenge. Requests for additional individuals and information will be made in a timely manner as to have adequate information for the Board of Directors to consider the challenge.
 - (b) A summary of all challenges presented and their recommended disposition will be shared with the Board of Directors.

RULE 10. DEFINITION OF TERMS

The following terms from the Constitution and Bylaws, when used in the Standing Rules, shall have these definitions:

- A. Open Nomination Procedure** shall mean a procedure by which every eligible NEA-New Mexico member shall have the opportunity to nominate any NEA-New Mexico member who meets the qualifications for the elective position; subject, however, to any limitations required in the NEA-New Mexico Constitution and Bylaws and also to any

other reasonable restrictions uniformly imposed.

- B. Secret Ballot** shall mean a procedure for voting, whether on a paper ballot or electronically, in which the voter may cast the vote in secrecy.
- C. One-Person-One-Vote Principle** shall mean a voting procedure by which the vote of each member of the constituency has equal weight, so that in the elected governing body, each delegate represents approximately the same number of constituents as each and every other delegate.
- D. Election by Secret Ballot for Each Individual Position** shall mean that slate voting shall not be permitted.
- E. Runoff Elections** shall mean a voting procedure as follows: In an election, if a sufficient number of candidates has not achieved a majority of the valid ballots cast, another election shall be held and the runoff ballot shall list those unsuccessful candidates who, arranged in decreasing order of votes received, obtained a majority of the votes cast in the previous election. In the event that this procedure would not provide at least one more candidate than the number of remaining positions to be filled, then the runoff ballot shall list those candidates who, in descending order, received the highest number of votes on the previous ballot (though not elected), listing one more candidate than the number of positions to be filled.
- F. Valid Ballot.** In the case of elections, a valid ballot shall be a ballot (a) cast by a member for a person nominated for the office; (b) cast for no more than the maximum number of positions to be filled; (c) cast in a manner that clearly indicates the voter's choice. In the case of a vote on any issue placed on a ballot, a valid ballot shall be a ballot clearly cast for or against the issue; (d) cast in a manner consistent with the elections procedures and calendar for the particular election.

RULE 11. SMOKING PROHIBITION

There shall be no smoking in the Delegate Council.