

UTAH EDUCATION ASSOCIATION GOVERNING DOCUMENTS

UEA CONSTITUTION

ARTICLE III--OFFICERS AND BOARD OF DIRECTORS

Section 3.3 Election. For the purpose of nominating and electing directors, the state is divided into UniServ units. Those nominated to represent each UniServ unit must be employed within the UniServ unit they represent and elected by the members within the UniServ unit. A director representing ethnic minorities shall be elected. Representative areas and procedures for nomination and election are defined in the Bylaws.

UEA BYLAWS

ARTICLE VI--BOARD OF DIRECTORS

Section 6.2 Election. One director is elected from each UniServ. One director representing ethnic minorities is elected by the total membership of the Association.

Section 6.4 Terms of Office. Except as otherwise provided in this section, Directors are elected to three-year terms that begin July 15 following the election and expire July 14 three years later, except the NEA state directors whose term on the UEA Board of Directors corresponds with the term of office as NEA state director. Board members shall not be elected to more than two terms consecutively. If more than four Directors are to be elected in one election, the Elections Committee, in a regularly called meeting in the year prior to that election, shall determine by lot the Directors to be elected for a one or two-year term so that the number of Directors elected in a future election (if a full term is served) will not exceed four. The term of any person elected to a term of less than three years pursuant to this section shall not be counted toward limiting the person's tenure to two consecutive terms. The UniServ Presidents shall receive written notice of and be invited to attend the meeting.

ARTICLE XI--RESPONSIBILITIES OF COMMITTEES AND COUNCILS

Section 11.5 Elections Committee. The Elections Committee: (a) issues and validates petitions for elective office; (b) notifies candidates of petition status and campaign procedures; (c) prepares ballots; (d) determines the validity of all ballots; (e) verifies election results and notifies candidates; and (f) hears all election challenges and makes recommendations to the Board of Directors. If a member of the Elections Committee is a candidate at any time during the elections process, the representative body will select an alternate to replace the committee member during the election cycle.

ARTICLE XII--NOMINATIONS AND ELECTIONS

Section 12.1 Method of Election. The UEA Board of Directors, after having received the recommendation of the Elections Committee, may decide whether the election for UEA officers and directors or a ballot question is conducted by paper ballot and/or electronic voting. The decision shall be made prior to January 1 of any year in which an election is held or voting conducted.

Section 12.2 "Electronic voting" means a method of voting that allows each member to record by electronic means a vote for each candidate for whom the member is entitled to vote or to vote for or against a question. Electronic voting shall only be approved by the Board of Directors if it is satisfied: (1) the election is secure from multiple voting by a member, (2) non members cannot vote, (3) the possibility of fraud or error is minimal, (4) members will have

an opportunity to vote at school or at another location easily accessible to members, (5) the member's vote is secret, and (6) the electronic ballot permits a write-in vote in the general election.

Section 12.3 Time and Method of Nomination. Candidates for UEA elective office may become candidates either by: (1) a nomination petition signed by any member of UEA, or (2) by signing and filing a declaration of candidacy, and causing the nominating petition or the declaration to be delivered to the executive director before 5:00 p.m., the second Wednesday in January preceding the election. The nominating petition or the declaration of candidacy shall contain (a) the name of the person filing the nominating petition or the declaration, (b) the office or position for which the candidate seeks election, (c) the name of the local association of which the candidate is a member, and (d) other information the Elections Committee, with the concurrence of the Board of Directors, may require. Any member who has become a candidate may, any time 30 days before the election, withdraw his/her candidacy by filing with the executive director a written statement containing the name of the person, the office or position for which the person had sought election, the date of withdrawal, and the signature of the candidate. Any candidate who has withdrawn may become a candidate for any office, if the subsequent nomination petition or declaration of candidacy is properly filed with the executive director before 5:00 p.m., the second Wednesday in January preceding the election.

The executive director shall notify in writing any member nominated by petition that s/he has been nominated for a UEA office and provide the member with a copy of the nominating petition together with a statement that the member may withdraw as a candidate by notifying in writing the executive director of his/her decision to not be a candidate at least 30 days before the election.

If, at least 30 days prior to a general election, a candidate withdraws leaving no candidate for the office, the UEA Board of Directors will nominate at least one qualified member to be a candidate for the statewide office to be voted for in the general election. If the office is for the Board of Directors, the UniServ Council for the UniServ shall be requested by the Board of Directors to recommend the names of one or more qualified members to be a candidate for that office.

Section 12.4 Nominations by Board of Directors. If no member files a declaration of candidacy for an office to be filled in the next general election, the Board of Directors shall nominate two qualified members to be candidates for the office. The Board of Directors shall establish a procedure to determine the best qualified candidates. Unless a special meeting is called, the Board of Directors makes nominations required by this section at the first regular board meeting after the second Thursday in January preceding the election.

Section 12.5 Notification of Local Associations. The UEA president, prior to February 15, advises local presidents about the election procedures of the UEA and encourages local associations and association representatives to comply with the provisions of this Article.

Section 12.6 When Primary Required-Nomination. If the number of candidates exceeds twice the number for any office or position to be filled by election, a primary is held for that office or position, except there is no primary for the NEA Representative Assembly Successor Delegates. The Elections Committee places on the general election ballot twice the number of candidates for each office or position as there are positions or offices to be filled in the general election from those candidates receiving the greater number of votes in the primary election.

Section 12.7 Time of Primary. Each eligible member will receive a primary election ballot 21 days after the declaration of candidacy due date. Voting will be open for 21 days and closes at 5:00 p.m. of the 21st day. If voting is by electronic means, the vote must be recorded in a secure database designated by the Elections Committee.

Section 12.8 Deadline for Returning Primary Ballots. If voting is by paper ballot, ballots must be: (a) received by the UEA office not later than 5:00 p.m. of the 21st day; or (b) mailed to and received by the UEA office not later than 5:00 p.m. of the 21st day. If voting is by electronic means, the vote must be recorded in a secure database designated by the Elections Committee.

Section 12.9 Method of Election. Except as above provided, primary elections are conducted in the same manner as are general elections.

Section 12.10 Preparation of Ballots. The Elections Committee prepares ballots for each member from the official UEA membership list. If voting is by electronic means, the Election Committee prepares and approves the form of electronic ballots.

Section 12.11 Time of General Election. Each eligible member will receive a general election ballot 28 days after voting in the primary election ends. Voting will be open for 21 days and closes at 5:00 p.m. of the 21st day. If a primary election is not necessary, the general election will be held on the primary election dates described in Section 12.7.

Section 12.12 Order of Names on Ballot. The order of the names of candidates for each office on the ballots is determined by lot under rules established by the Elections Committee and approved by the Board of Directors. The Elections Committee gives all candidates at least 24 hours notice of the time, place, and purpose of the meeting to determine the order of names on the ballot. The meeting is to be scheduled at a reasonable time by the Elections Committee. The failure of a candidate or his/her representative to attend the meeting does not affect the election or order of names on the ballot.

Section 12.13 Contents of Ballot.

- a. Each ballot contains (1) the names of the candidates under the name of the office for which the person is a candidate, (2) the term of office, (3) write-in spaces for the number of persons for which each voter may vote for each office or position in general elections, and (4) instructions to voters.
- b. With the approval of the Board of Directors, the Elections Committee determines the form of balloting.
- c. Where a question is presented to the voters, it shall be in a form which can be answered "yes" or "no" or "for" or "against."
- d. In elections using paper ballots a substitute ballot may be given to any voter who spoils his/her ballot. The substitute ballot may be voted in place of the regular ballot. The spoiled ballot must be firmly attached to the substitute ballot and placed with the spoiled ballot in a substitute ballot envelope provided and clearly marked "substitute ballots." During regular business hours, UEA shall provide assistance to members who experience problems voting. UEA may fax or provide an electronic copy of the ballot

capable of being printed by a member who requests it, if UEA is satisfied (1) the member did not vote electronically, (2) will be unable to vote electronically, and (3) is otherwise entitled to vote in the election. The ballot must be mailed to and received by UEA by the deadline for mailing and receiving paper ballots.

- e. Write-in candidates are not permitted in the primary election. If the voter desires to write in the name of a candidate in the general election, the name must be written in the space provided on the ballot for write-in votes. In elections using a paper ballot, as an alternate method of write-in voting, pre-printed stickers provided by the candidate may be affixed in the write-in space provided on the ballot.
- f. Local affiliates of the Utah Education Association may conduct their elections in conjunction with UEA primary and general elections, providing the local affiliate's election and voting procedures are consistent with these election bylaws and do not, in the judgment of the UEA Elections Committee, interfere with the Association's election.

Section 12.14 Retired Members and Others Voting by Mail or Electronically. In elections using paper ballots, the Elections Committee mails ballots to retired members and members who do not have direct access to their faculty representative to the address shown on the UEA membership list the same date the ballots are provided. These ballots contain the names of the candidates from the UniServ of which the person is a member and candidates for statewide office. The ballots must be returned or postmarked within the time set forth in Sections 12.7 or 12.8. If the election is by electronic means, retired members, in lieu of voting electronically, may participate in the election by complying with the requirements of section 12.22 for absentee voting.

Section 12.15 Lost Ballots. If in an election using paper ballots the ballots are not received by the association representative within five days after they were or should have been mailed, the association representative shall contact the Membership Department, which voids the numbers on the ballots issued to the association representative and assigns to the association representative ballot numbers which have not been previously assigned. The association representative prepares substitute ballots by: (a) copying the ballot from another faculty, (b) by designing a substitute ballot from directions from the Membership Department, or (c) securing substitute ballots from the Membership Department. The association representative also prepares a signature list for the signatures of members voting in the elections. The substitute ballots and the signature list shall be returned to the UEA office in the manner required by sections 12.7 or 12.8.

Section 12.16 Early Mailing. In elections using paper ballots the Elections Committee may mail ballots to association representatives up to 14 days prior to the regular mailing if it determines that a faculty or faculties of a school district would experience extreme difficulty in voting due to a closure of the school or district, spring vacation, or any unforeseen event. The Elections Committee may move the deadline for the return of ballots forward for the faculty or the faculties of the school district up to the same number of days that the ballots are mailed early to the association representatives. Where the deadline for receipt of ballots is moved forward, the Elections Committee provides a letter to each local president and to each association representative

affected by the deadline change in each ballot container informing the association representative of the deadline for return of ballots and of the consequences of failing to have the ballots delivered to the UEA office or postmarked by the date of the deadline for delivering or postmarking the container for ballots if mailed to the UEA office.

Section 12.17 Distribution of Ballots. In elections using paper ballots, on receipt of the ballots, the association representative immediately distributes the ballots to the members whose names appear on the membership list. Each member verifies receipt of a ballot by signing his/her name on the signature list next to his/her name. After ballots are marked by the member, the ballots and the signature list are returned to the association representative and placed in the container provided by the Membership Department. Before returning or mailing the ballots, the association representative seals the container.

Section 12.18 Early Receipt of Ballots. Ballots received prior to the deadline for returning ballots remain sealed until the deadline for returning ballots.

Section 12.19 Deadline for Returning General Election Ballots. In elections using a paper ballot, ballots must be: (a) received by the UEA office not later than 5:00 p.m. of the last date of voting, as outlined in section 12.11 or (b) mailed to and received by the UEA office not later than 5:00 p.m. of the last date of voting, as outlined in section 12.11. In elections using electronic ballots, the vote must be recorded in a secure database designated by the Elections Committee.

Section 12.20 Extension of Voting Deadlines. Notwithstanding deadlines for receiving electronic votes, the Elections Committee may extend the deadline for receiving electronic votes by two business days if it determines the system for receiving and recording votes malfunctioned and members have been denied or might be denied their right to vote in the election. If the Elections Committee extends the deadline for receiving electronic votes, the vote shall not be counted, tabulated or compiled until after the extended deadline for receiving votes has passed.

Section 12.21 Right to Vote. Only those members of the Association authorized by the Constitution and the Bylaws can vote in UEA elections. Any person whose name appears on the UEA membership list has the right to receive a ballot and vote in UEA elections. A person whose name does not appear on the membership list is entitled to vote if a telephone call from the association representative to the Membership Department confirms that the person is a member as of the date of voting.

Section 12.22 Absentee Votes. Any member may request that an absentee ballot be mailed to him/her by providing the Elections Committee with a signed affidavit in which the member states his/her name, that he/she will be unable to vote in the primary or general election or both, and the address where the absentee ballot is to be mailed. The absentee ballot is accompanied by a letter from the Elections Committee instructing the voter to return the absentee ballot to the UEA office within ten days after the date that the absentee ballot was mailed to the member. Absentee ballots must be received in the UEA office on or before the deadline for receiving the mailed-in election ballots.

Absentee ballots are requested at least seven but not more than 14 days prior to the regular deadline for providing ballots.

The name of any member who receives an absentee ballot is removed from the membership list for the election(s) for which the member receives an absentee ballot.

Section 12.23 Votes. The Elections Committee oversees the procedures for tabulating election returns. The candidate receiving the highest number of votes for the office shall be elected to the office. If two or more candidates receive an equal and highest number of votes for the same office, and if the results after a recount remain the same, the candidates with the equal and highest number of votes shall appear before the Board of Directors at a regular or special meeting and draw lots to determine which candidate is elected. Reasonable notice of the time of the meeting at which lots are to be drawn shall be given candidates.

Section 12.24 Report-Election Returns. The Elections Committee verifies and announces election results, provides certificates of election to the candidates elected according to these Bylaws and notifies the Board of Directors at its meeting following the general election of the results of elections conducted under the committee's responsibility.

Section 12.25 Campaign Funds Disclosure. Using forms provided by the UEA Elections Committee, each candidate for statewide UEA office shall file a report of campaign revenue and expenses with the Executive Director. Reports will be due 30 days following the certification of the election. Reports of campaign revenues and expenses shall be printed in an appropriate UEA publication.

Section 12.26 Election Challenge. Any candidate may challenge the vote or the propriety of the election by notifying the Elections Committee in writing within ten days after the official announcement of the election results and shall have the right to appear before the Elections Committee to give reasons for the challenge. No person may challenge the results or propriety of an election unless the challenge is made within ten days after the official announcement of the election results. The Elections Committee, at its discretion, may conduct a recount of the ballots or inquire into the propriety of the election. Any decision of the Elections Committee may be appealed to the Board of Directors whose decision is final. When an election is contested because of an irregularity, improper conduct, or a violation of this Article by any person, the Board of Directors, on clear and convincing proof of the irregularity, improper conduct, or violation, may order a new election if it also finds the irregularity, improper conduct, or violation changed the results of the election.

Section 12.27 Dues and Assets of Associations. No monies received by the UEA or its local affiliates from dues, assessments, or the proceeds therefrom on any asset may be contributed or applied to promote the candidacy of any candidate in an election for an office in the NEA, UEA, or its local affiliates, except for flyers and/or videos prepared in behalf of candidates in statewide UEA elections which are printed/produced and mailed by UEA in accordance with procedures established by the UEA Board of Directors. Such monies may also be used for notices, factual statements of issues to be voted on not involving candidates, and other expenses necessary for holding an election. If there is an allegation of a violation of this Bylaw, the Board of Directors shall, after a hearing, remove from office any candidate found to have willfully violated this section and may order a new election for any office where the Board determines that monies were used in violation of this section by the prevailing candidate or the candidate's campaign staff or committee.

Section 12.28 Non-Interference by Staff. No employee of the Utah Education Association or a UniServ shall interfere or participate in a local, state, or national association election campaign. Normal staff duties (e.g., assisting members with voting system access or navigation, communicating with candidates regarding allowable components of candidacy, acting on election committee directives, candidate recruiting, etc.) shall not be considered interference or participation by staff. Additionally, an action by staff that is purposeful in nature and that creates an obstacle for any candidate may be considered interference. Staff participation, with the exception of staff UEA

members voting as described in Article I, Section 1.1.e, shall be defined as lending support to or promotion of any candidate beyond normal staff duties. No candidate may suggest or encourage interference or participation by staff. Any member of the Association may file a written complaint with the Elections Committee setting forth the facts which the member believes to constitute a violation of this section. The Elections Committee shall submit the complaint to the UEA Executive Director. The UEA Executive Director and/or his or her designee(s) shall investigate the complaint and report back to the Elections Committee and the UEA Board of Directors regarding the validity of the complaint and provide a recommendation regarding the impact to the election. If, through an investigation, the complaint is determined to be valid, the Elections Committee may recommend and the Board of Directors may order a new election.

Section 12.29 Compliance and Penalty. Except where expressly otherwise provided, the provisions of this Article are mandatory. Strict compliance is required. Declarations of candidacy not received or ballots not postmarked or received within the time required for whatever reason, including the failure of the postal service to deliver the mail before the deadline, shall not be counted and shall not affect any election.

Section 12.30 Special Elections. The Board of Directors may call a special election for the members to vote on any subject appropriate for election not otherwise provided for in this Article. Unless otherwise required by law, the Articles of Incorporation, or the Constitution of the UEA, special elections shall be conducted according to the procedures for general elections, but: (a) written notice of the date, place of voting, and purpose of the special election is distributed to all local presidents and association representatives and distributed in an official UEA publication at least five but not more than 20 days prior to the special election date, (b) the special election question may be contained on the primary election ballot, the general election ballot or may be on a separate ballot, (c) special election ballots are mailed and returned within the same number of days provided for mailing and returning general election ballots, and (d) if the special election is a question for the membership, it shall be concisely stated and contain boxes to answer the question "yes" or "no" (or "for" or "against").

Section 12.31 Proxy Voting. Proxy voting is prohibited.

UEA ELECTIONS BOARD POLICIES *(Updated as of 9-17-21)*

C. XIII. ELECTIONS

- XIII-1. The vote tabulation on all voting will be released to the UEA leadership and the voting tabulation will be published in the *UEA Action* e-newsletter and on the UEA website. *(Revised 11-16-12)*
- XIII-2. Election results for all state offices will be tabulated to reflect voting by local associations.
- XIII-3. Alternate delegates will be designated in order of the number of votes received. If a minority alternate delegate is designated to go, the delegate with the highest number of votes will be selected.
- XIII-4. The UEA Elections Committee shall be responsible for verifying election results and notifying candidates.
- XIII-5. Association representative, retired and/or NEA Active-Lifetime member labels may be made available as an electronic file only to candidates, upon written request to the UEA executive office or designee. A separate request shall be made for the primary election and for the general election. UniServ unit Board of Directors' candidates are eligible to receive electronic mailing labels for the schools only in their UniServ. The candidate shall be required to sign a non-disclosure statement before receiving the electronic file. Electronic mailing labels may only be used for election campaign purposes and must be deleted once the election is over. Candidates that choose on their own and at their expense to use electronic communication may not use tracking technologies. *(Revised 11-16-12, 3-15-13, 3-21-14, 10-9-15 and 4-7-17)*
- XIII-6. All statewide candidates in the general and primary election will be given the opportunity, per election, to enclose a one-page flier in the UEA monthly AR mailing. The mailing is distributed to all Association representatives and UEA leadership. If the candidate chooses, materials must be submitted electronically and will be printed by the UEA on white paper, 8 ½ x 11 inches in size and one side only. Candidates may choose, at their own expense, to submit to the UEA a one-page flier, 8 ½ x 11 inches in size, single or two sided, in sufficient quantities for the AR mailing. *(Revised 11-16-12, 3-15-13 and 10-9-15)*
- XIII-7. Candidates may declare their intent to run for a UEA office beginning September 1 prior to the year of elections. Each candidate must submit all requirements of the declaration of candidacy, by the deadline, the second Wednesday in January by 5:00 p.m., to be considered a valid candidate and to begin campaigning. A declaration of candidacy form will be made available on the UEA website or by contacting the UEA executive office. A valid declaration of candidacy must include a completed declaration, color photo and a 250-word statement from the candidate seeking election. Candidate names will be posted to the UEA website within five business days noting that no more names will be posted after the deadline of the second Wednesday in January. Candidate information, statements

and photos may be made available to UEA Elections staff, prior to the declaration deadline where possible, following receipt and approval by the executive office.
(Revised 11-16-12, 3-20-15, 10-9-15, 11-20-15, 6-30-18 & 6-14-21)

- XIII-8. All candidates will be given the opportunity to submit a two-minute campaign video for the UEA website. Videos over two minutes will not be accepted. The UEA may change video format and file size to facilitate the upload process. The video can be updated for those candidates who participated in a primary election.
(New policy added 11-16-12, revised 3-15-13, 10-9-15 and 4-3-20)
- XIII-9. Campaign Presentations. *(New policy added 10-9-15, revised 4-3-20)*
- a. UEA Bargaining Summit. After officially declaring candidacy, candidates for statewide offices may request a booth at the UEA Bargaining Summit. Booth location will be assigned at the discretion of the UEA with consideration to equal representation to all candidates. All campaign activity is restricted to the individual candidate's booth. Chanting and yelling is strictly prohibited. No campaign materials will be distributed, posted or displayed outside of the candidate's booth space, provided that this prohibition shall not apply to the wearing of T-shirts, hats, pins, buttons and the like.
 - b. Council of Local Presidents (CLP). CLP will provide each officially declared candidate, or their designee, for each statewide office, equal speaking time at the first in-person meeting following the end of the candidate filing period. Candidates will also be allowed to distribute campaign materials to the CLP as part of their presentation. The official UEA election timeline will include the CLP meeting date when candidates will have the opportunity to speak and distribute campaign materials.
(Revised 4-5-19)
 - c. UniServ and Local Association Meetings. After officially declaring candidacy, candidates may accept invitations to speak to UniServ and/or local leaders. A candidate may also request the opportunity to address the members. The UEA Board encourages local leaders to invite all candidates for the same office to speak in a UniServ or local meeting.
(Revised 8-3-21)
- XIII-10. If no member files a declaration of candidacy for an office to be filled in the next general election, the following action will be taken to facilitate the Board of Directors' nomination of two qualified candidates:
- a. For the office of Board of Directors, nomination of one or two names will be submitted by UniServ presidents, local presidents, and/or board members.
 - b. For the offices of president, vice president, NEA director, and at-large offices, each UniServ unit and/or board member will submit one to two names to be considered.

- XIII-11. The procedure used by the Board of Directors to determine the best qualified candidates shall be as follows:
- a. Each candidate to be considered for the office will complete a candidate form that will include: (i) Current teaching assignment or position, (ii) years of teaching experience, (iii) years of association membership and (iv) association experience.
 - b. Letters of recommendations for any candidate may be included in the candidate's file.
 - c. All candidates for office will be allowed three to five minutes to speak before the Board of Directors. *(Revised 10-9-15)*
 - d. The Board of Directors will share information about qualifications of any candidates being considered.
 - e. The Board of Directors will conduct a secret ballot vote for the candidates, and will continue voting until two candidates receive a clear majority. These two candidates will be placed on the UEA general election ballot.
- XIII-12. In the event that a candidate runs for two positions on the UEA Board of Directors and is elected to both positions, that candidate must select which position they will hold, and resign from the other elected position. The vacancy of that resigned position would be filled according to the UEA Bylaws. *(New policy added 3-21-14)*
- XIII-13. The candidate, in an election where there is at least one declared candidate on the ballot (includes write-ins), receiving the highest number of votes for the office shall be elected to the office. In the event there is no declared candidate on the ballot, a write-in candidate receiving the majority of the votes will be elected to the office provided the candidate received a minimum of 25 votes. *(New policy added 4-7-17)*
- XIII-14. Candidate Campaign Violations. *(New policy added 10-9-15)*
- a. Alleged violations of these campaign rules shall be submitted in a signed letter of complaint to the UEA Elections Committee and sent to the executive office by any member/local affiliate/candidate.
 - b. Upon receipt of the alleged violation, the Elections Committee Chair will convene a sub-committee consisting of at least three members of the Elections Committee. The Subcommittee will investigate the allegation. During non-election time, the subcommittee will make every effort to present their findings to the Elections Committee at the next regularly scheduled meeting if one is to be held within the next 10 days or by conference call if no meeting is scheduled within the next 10 days. During the election itself, the Elections Sub-committee will make every effort to hear violations within 48 hours. The findings of the Subcommittee should

be submitted to the full Elections Committee. At the Election Committees discretion, a conference call could be scheduled at any time.

(Revised 6-30-18)

- c. As part of any investigation and/or subsequent hearing either by the Elections Committee or Board of Directors, candidates will be given an opportunity to provide a response to any complaint of an alleged violation.
(Added 9-17-21)
 - d. Should the Elections Committee determine that a candidate is in violation of campaign rules, the Elections Committee shall recommend to the UEA Board of Directors possible corrective or disciplinary action. The UEA Board may examine the hearing record or hold another hearing, and either affirm or deny the action. *(Revised 6-30-18)*
 - e. A candidate may appeal the decision to the UEA Board of Directors in writing. The UEA board will review the facts and determine if the ruling is upheld or reversed. At its discretion, the UEA Board of Directors may hold a hearing to obtain additional facts and evidence to decide the issue, including allowing the challenger and the accused to present information.
(Revised 6-30-18)
 - f. Possible disciplinary actions that may occur as a result of a violation are as follows:
 - i. Simple error – The UEA board may direct the executive director to notify the candidate of the error and to fix the violation to the extent possible.
 - ii. Overt violation – The candidate will receive a written warning or reprimand.
 - iii. Second overt violation or continuing violation – Possible actions include fining the candidate and/or disqualification of candidacy.
(Revised 6-30-18)
 - g. If the complaint is determined to be valid, and if the Elections Committee determines that the violation was sufficiently serious as to have affected the results of the election, or that the candidate who won the election encouraged the violation, the Elections Committee may recommend to the Board of Directors that the UEA board order a new election. If the Board of Directors, after a hearing in which all persons that may be affected are given an opportunity to be heard, determines that the violation was sufficiently serious as to have affected the results of the election, or that the candidate who won the election encouraged the violation, the UEA board may order a new election. *(New policy added 10-9-15. Revised 6-30-18)*
- XIII-15. In the event the Elections Committee receives a complaint of staff interference in the election, they shall submit the complaint to the UEA executive director and/or his or her designee(s) with a charge to investigate the complaint and report

back to the Elections Committee and the UEA Board of Directors, a determination of validity of the complaint and a recommendation regarding the impact to the election. *(New policy added 10-9-15)*

- a. During the investigation, the accused staff shall be notified by the executive director and/or his or her designee(s) of the infraction for which they are accused and shall be given the opportunity to provide explanation for their action(s). If the interference complaint is deemed valid, the action shall be addressed by the executive director or his or her designees(s) according to staff contract requirements. If the interference complaint is deemed to not be valid, the complaint will be dismissed. *(New policy added 10-9-15)*

- b. During the investigation, any candidate accused of encouraging actions that constitute interference or participation by staff, shall be notified of the accusation and shall be given the opportunity to provide explanation for their action(s) to the Elections Committee. *(New policy added 10-9-15)*