

# **Rules for the 2022 MSCA Officers Election**

## **Approved by the MSCA Board of Directors – June 4, 2021**

1. Candidacy for election to a position as MSCA Officer in the 2022 MSCA Officers Election shall be open to any MSCA member in good standing, except for members of the MSCA Elections Committee and Credentials Committee. (Article IV, Section 2)
2. Per Article IV of the MSCA Constitution, nomination papers for each MSCA Office will be accepted only from individual members seeking that particular office. No individual may be a candidate for more than one (1) office. Upon receipt of a request for nomination papers, the Nominations and Elections Supervisor\* will enter the name of the eligible member and the Office to be sought on the nomination papers and provide them to the eligible member within two (2) weeks. Then, the Nominations and Elections Supervisor will report the name and office sought of anyone who requested nomination papers to the members of the Elections Committee, the MSCA Board of Directors, and any MSCA member who requests such information.
3. Candidates for each MSCA Office shall file nomination papers with the Nominations and Elections Supervisor as specified in the MSCA Constitution and in accordance with Calendar for the 2022 MSCA Officers Election. The Nominations and Elections Supervisor shall certify each candidate, who will thereafter be designated a *Certified Candidate* for that MSCA office. After the certification of candidates, write-in candidates shall be designated as *Nominees*.
4. Certified Candidates will be informed of the date and location of the constitutionally mandated lottery to determine the order of names, without designation of incumbency, on the ballot. Certified Candidates (or a representative designated by a Certified Candidate) may be present at the lottery. (Article IV, Section 2[c])
5. A draft copy of the voting instructions, online ballot, and paper ballot, each of which shall include a space for a write-in candidate for each Office (Article IV, Section 2[c]), and the outer envelope and return envelope for the paper ballot (to be sent by the Supervising Agency) will be available for Certified Candidates to review one (1) week before the formats for these materials are finalized. The Elections Committee will consider any feedback or requests related to these materials.
6. MSCA Chapters, Standing Committees, Ad Hoc Committees and/or the MSCA Board of Directors may not endorse or oppose a particular Certified Candidate or Nominee in their collective capacities. Individuals serving on such bodies are free to engage in any activity not otherwise prohibited by these rules to advance or oppose the candidacy of any Certified Candidate or Nominee.
7. Neither the Elections Committee in its collective capacity, nor its individual members, may endorse or otherwise engage in any activity to advance or oppose the candidacy of any Certified Candidate or Nominee.
8. No Chapter funds, equipment, paid personnel or resources may be used, directly or indirectly, to advance or oppose the candidacy of any Certified Candidate or Nominee.
9. No MSCA funds, equipment, paid personnel or resources may be used, directly or indirectly, to

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\* Per Article VII, Section 7, "The title of the chairperson of the Elections Committee shall be Nominations and Elections Supervisor."

advance or oppose the candidacy of any Certified Candidate or Nominee.

10. No state university funds, equipment, paid personnel or resources may be used, directly or indirectly, to advance or oppose the candidacy of any Certified Candidate or Nominee. Distribution of materials through the campus mail system, in accordance with the collective bargaining agreements, is allowed.
11. The use of state university technology (“use” is defined as using state owned property, technology or electronic media controlled by the state universities, including the origination of messages or the forwarding of messages originated by others) –
  - A. is prohibited for sending or receiving messages or for creating a web page to advance or oppose the candidacy of any Certified Candidate or Nominee.
  - B. is allowed for logistical information about the election itself (e.g., announcements concerning the election process, candidate forums, materials posted on the MSCA website, questions and non-sensitive communications among the members of the Elections Committee). Such communication is for informational purposes and must not contain any information that would advance or oppose the candidacy of any Certified Candidate or Nominee. The Chapter President (or Chapter Vice President, if the Chapter President is a Certified Candidate or Nominee) will disseminate this information to chapter members.
12. Each Certified Candidate may choose to receive not more than two (2) sets of mailing labels and/or an electronic database, with the name, address, and chapter affiliation of all members; requests shall be sent directly to the Office of the MSCA Treasurer. The Office of the MSCA Treasurer will send these to each Certified Candidate as soon as possible after candidates have been certified. To the extent deemed realistic by the MSCA Treasurer, the names will be separated by campus/unit member status (full-time and non-full-time). The Office of the MSCA Treasurer will also send Certified Candidates a list of eligible voters, the list submitted to the Supervising Agency (to be determined by the MSCA Board of Directors) for the election, that contains updates and changes since the original mailing labels and/or electronic database were produced.
13. Certified Candidates and Nominees shall conduct their campaigns in a positive manner with due regard for the high professional standards expected of university educators and shall refrain from personal attacks. All campaign materials supporting or opposing a Certified Candidate or Nominee must be signed by at least one MSCA member in good standing.
14. The MSCA Board of Directors shall designate a member who is *not* seeking office as President, Vice President, Treasurer, or Secretary to *coordinate* and *moderate* a separate candidate forum for each position; this member shall be referred to as the *Forum Coordinator*. Members must be notified of the date and time for these forums at least two (2) weeks in advance via email, social media, and the MSCA website. The Nominations and Elections Supervisor shall notify each Certified Candidate of the name of the Forum Coordinator. So that each forum provides consistency for Certified Candidates and MSCA members, the following rules will govern the conduct of each forum.
  - A. The Forum Coordinator, who may not be a member of the MSCA Elections Committee, shall moderate *each* forum.
  - B. Each 60-minute to 90-minute forum, to be conducted via video conference, may be

scheduled between one (1) week *after* candidates are certified and two (2) days *before* the start of voting.

- C. During forums, certified candidates, including those who are unopposed, shall present their reasons and preparation for serving as an MSCA officer and answer questions from members.
  - C. As moderator, the Forum Coordinator shall neither pose nor answer questions asked during the forum, nor allow members in attendance to answer questions directed to the Certified Candidates. The Forum Coordinator shall ensure that each Certified Candidate has an equal opportunity to address members.
  - D. Within the time frame for the forum for each office, the structure shall allow each Certified Candidate to address members, directly and without interruption, for 5-7 minutes before responding to questions from members and each Certified Candidate shall have an opportunity to respond to the questions posed by members. The order of opening statements shall be determined in a random fashion. Certified Candidates shall refrain from questioning each other and shall direct their responses to members.
  - E. In the event that a Certified Candidate cannot attend a forum, the Certified Candidate may send a statement to the Forum Coordinator and the Forum Coordinator shall read this statement to members during the forum.
  - F. The Forum Coordinator shall inform each Certified Candidate of any additional format information for the forum, consistent with the above parameters, and provide the video conference access information *at least* twenty-four (24) hours *in advance*.
15. If there is more than one (1) Certified Candidate for any office, a candidate forum shall be scheduled in consultation with the Chapter President. If there is no more than one (1) Certified Candidate for each office then a candidate forum may be scheduled at the Chapter President's discretion. The Nominations and Elections Supervisor, working with the secretary of the MSCA President, shall establish a date and place for each forum that is, to the extent possible, agreeable to the Certified Candidates. The Nominations and Elections Supervisor shall notify each Certified Candidate of the date and place of each forum. So that each forum provides consistency for Certified Candidates and MSCA members, the following rules will govern the conduct of each campus forum.
- A. The Chapter President (or a designated member of the Chapter Executive Committee who is not a member of the MSCA Elections Committee) shall preside as Moderator of the forum.
  - B. The Moderator will be a neutral party to the forum and shall neither pose nor answer questions asked during the forum, nor allow members present to answer questions directed to the Certified Candidates. The Moderator will ensure that each Certified Candidate has an equal opportunity to address the members.
  - C. At the discretion of the Chapter President, the mode of the campus forum shall be either on-campus in-person or via video conferencing, with all candidates participating in the same manner.
  - D. Within a 60-minute to 90-minute time frame, the forum structure should allow for opening and closing statements from the Certified Candidates along with questions from the members.

The order of statements shall be determined in a random fashion. Certified Candidates shall refrain from questioning each other but should direct their responses to the questions posed by members.

- E. In the event a Certified Candidate cannot attend a forum, the Certified Candidate may send a statement to the Moderator for distribution at an on-campus forum or to be read during a forum conducted via video conference.
  - F. The Moderator shall inform each Certified Candidate of any additional format information for the forum, consistent with the above parameters, *at least twenty-four (24) hours in advance*.
16. So that all voting members receive the same information regarding election procedures, the membership will be informed of the procedures for the election in an email prepared by the Nominations and Elections Supervisor for distribution by Chapter Presidents as well as sent directly to the membership. This information shall also be posted on the MSCA website. This does not preclude Certified Candidates or Nominees from including voting instructions and procedures in their correspondence to members, provided that the instructions and procedures are not misrepresented.
17. Each election contest shall be decided by a plurality, that is, the individual receiving the most votes shall be elected.
18. Challenge Procedure:
- A. Any Certified Candidate or Nominee may challenge the election by filing a written challenge with the Nominations and Elections Supervisor no later than 5:00 PM ET/EST on the seventh (7<sup>th</sup>) day following the official ballot count.
  - B. The Nominations and Elections Supervisor shall notify the designated Arbitrator<sup>¶</sup> that a challenge (or challenges) has (have) been received.
  - C. The Arbitrator shall prepare a notice of hearing including the date and place of the hearing. The notice, including a copy of the challenge(s) shall be sent to each Certified Candidate and Nominee.
  - D. At the hearing, any Certified Candidate or Nominee may be represented by a representative of her/his choosing and may present documents and witnesses relevant to the challenges filed. Each Certified Candidate or Nominee will be permitted to make an opening and closing statement to the Arbitrator.
  - E. The Arbitrator shall file a written report with the Elections Committee. For each challenge filed, the Arbitrator shall determine whether the challenge has merit and whether the facts as found by the Arbitrator affected the outcome of the election.
  - F. The Nominations and Elections Supervisor shall promptly provide a copy of the report to each Certified Candidate or Nominee.
19. The Elections Committee shall meet to consider the report and certification of the election. The Elections Committee will make a report to the MSCA Board of Directors at its next meeting.

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<sup>¶</sup> To be determined by the MSCA Board of Directors no later than the February 4, 2022 meeting.