

## CHAPTER III - ADMINISTRATION

### D. ELECTION

#### Section 1 - Declaration of Candidacy

- 1.1 In order to declare candidacy, campaign for or serve as District Director, First Alternate Director, Second Alternate Director, or Board of Governors Representative, a member of the ACBL must be in good standing, and at least 18 years of age.
- 1.2 An ACBL member shall be deemed to be in “good standing” when such member’s dues or fees, if dues or fees are required, are current and such member is not:
  - a. Expelled,
  - b. Serving a term of suspension,
  - c. Serving indefinite probation,
  - d. Serving a probation, the initial term of which was 24 or more months,
  - e. Serving a term of probation following a suspension, the initial term of which was in excess of 90 days.
- 1.3 The declaration must be received by the Director of Elections no later than 5:00 PM CT on May 31.
  - 1.3.1 The deadline is fixed, even when May 31 falls on a non-business day.
  - 1.3.2 Postmarked prior to June 1, but received after May 31 will not be considered as received on time.
  - 1.3.3 Delivery may be by mail, fax, hand, or email.
  - 1.3.4 In the physical absence of the Director of Elections, the Executive Director of the ACBL (or his/her nominee) will act as Director of Elections on the last day designated to receive declarations.
- 1.4 The Director of Elections will send candidates written confirmation that the declaration has been received by the ACBL.

1.4.1 The onus of proof of receipt lies with the candidate.

1.5 The declaration must contain the name, player number, and office for which the candidate is applying.

1.6 If there is no opposition, qualified candidates will be deemed elected on June 1.

1.6.1 With opposition, an election will be required. Candidates who wish to include a biographical summary with election materials must submit a summary to the Director of Elections within 10 business days following June 1.

1.6.1.1 The summary may not exceed 150 words.

1.6.1.2 The summary is the creation of the candidate. ACBL disavows responsibility for content or accuracy of the information contained therein.

1.6.2 Candidates may request, free of charge, one list or one set of labels of the unit board members within their district, so they may campaign on their own behalf. The list may contain street addresses or email addresses or both.

1.6.2.1 Such request will not be fulfilled until 30 business days following June 1, allowing the Units time to confirm the Unit Board members on record are accurate for the upcoming election.

## **Section 2 - Electors**

2.1 District Directors, First Alternate Directors, Second Alternate Directors, and Board of Governors Representatives shall be elected by the Unit boards of each District under the authority of the ACBL Director of Elections.

2.2 Within 10 business days following June 1, the Director of Elections will execute the following:

2.2.1 Advise the Unit Presidents and Secretaries, within the districts in which an election is required, of the Unit Board members of record at that time.

2.2.2 Solicit voting method preference.

2.2.3 Supply a copy of the ACBL Regulations for District Wide Offices.

2.3 By the 30th business day following June 1, the Unit will corroborate or update the roster and provide the voting method preference.

- 2.3.1 If the roster is not corroborated or updated, the Unit Board members on record will be final for the upcoming election.
- 2.3.2 If no voting method preference is provided, the Unit will default to an email or mail ballot election.

### **Section 3 – Unit Membership**

- 3.1 The membership of a Unit is the number of its dues-paying members and those who are active Life Members as recorded by the ACBL on June 1.

### **Section 4 – Unit Voting Power**

- 4.1 Each Unit Board of Director in the District shall have “Unit Board Member Voting Power”, based on the formula following:
  - 4.1.1 The unit membership divided by 100 and computed to the fourth decimal place.
  - 4.1.2 The division of the Unit membership shall then be divided by the number of board members in the Unit submitting valid ballots.
  - 4.1.3 The Unit Voting Power shall be computed to the fourth decimal place.
    - 4.1.3.1 In the event such procedure does not break a tie, it will be broken by the Director of Elections by a drawing.
    - 4.1.3.2 Properly executed requests for absentee ballots will be considered valid ballots.
- 4.2 Each candidate shall be sent the Unit Voting Power accorded for each unit within 30 business days following June 1.
- 4.3 Each unit shall be sent the Unit Voting Power accorded for their unit within 30 business days following June 1.
  - 4.3.1 Objections to the Unit Voting Power must be filed with the Director of Elections by July 15.
    - 4.3.1.1 Such objection will be forwarded to the Election Protest Committee and the procedure set forth in Regulation 15, “Protests” will be followed.

- 4.3.2 If no such objection is filed, the Unit Voting Power shall be considered binding, and no protest may subsequently be filed as to such matter.

## **Section 5 – Voting Period**

- 5.1 Election materials will be mailed to the Unit President for election meetings and emailed or mailed to individual voters prior to August 15.
- 5.2 The voting period commences once the Unit or individual voter is in receipt of the election materials.
- 5.3 In order to be included in the count, the ballots must be received by the Director of Elections by midnight on September 15.

## **Section 6 – Voting Methods**

- 6.1 A Unit may opt to vote by one of the methods following:
  - 6.1.1 A Unit meeting for the purpose of voting.
    - 6.1.1.1 The decision to hold a Unit meeting by the Unit President or Secretary is binding for all.
      - 6.1.1.1.1 A Unit Board member unable to attend the election meeting may request an absentee ballot.
    - 6.1.1.2 It is permissible to conduct other Unit business during the course of the meeting.
  - 6.1.2 Electronic Election
    - 6.1.2.1 Upon application in writing to the Director of Elections by the 30<sup>th</sup> business day following June 1, the Unit President or Secretary may request that the unit vote electronically.
    - 6.1.2.2 Election materials will be emailed on or about August 15.
    - 6.1.2.3 Each unit board member is responsible for having their email registered with the ACBL to allow the receipt of the material and cast their ballot.
    - 6.1.2.4 In order to be included in the count, the ballots must be received by the Director of Elections by midnight on September 15.

- 6.2 If the Director of Elections is not notified of the Unit preference, the Director of Elections will default to an email election.

## **Section 7 – Unit Meeting**

- 7.1 When a Unit meeting is the Unit's preferred method of voting, a day certain must be established for the purpose of voting.
- 7.2 The Unit President or Secretary will give the Unit Board of Directors and the Director of Elections appropriate notice of the special or regular meeting for the announced specific purpose of voting. The date, time and location should be included in the notification.
- 7.2.1 The Unit President or Secretary shall include a statement with the notification of the unit meeting that a board member may request an absentee ballot from the Director of Elections any time prior to the unit's scheduled meeting (after an election has been called and nominations have closed).
- 7.3 If a candidate desires, the Unit must grant a request by the candidate(s) to appear at the Unit meeting. If a candidate is unable to attend, it is permissible for the candidate to send a representative to appear on their behalf.
- 7.3.1 If the Director of Elections has been notified of a unit meeting, notification will be made to the candidates in a timely manner prior to the election meeting, of when and where the unit will conduct its election.
- 7.4 Voters should have a segregated area where the ballot may be cast in private.
- 7.4.1 Voters shall:
- a. Place the ballot in the envelope provided;
  - b. Seal the envelope;
  - c. Sign and record their player number in the designated area on the back of the envelope.
- 7.4.1.1 Failure to sign the envelope shall render the ballot null and void.
- 7.4.2 Proxies are not permitted.

- 7.4.3 Write-in votes are invalid.
- 7.5 Upon completion of voting, the board member conducting the meeting shall collect the sealed ballot envelopes, sign and date the Unit Board of Director roster provided, place all in the pre-paid, self-addressed overnight mail service envelope provided, and mail to the Director of Elections.
  - 7.5.1 In order to be included in the count, the ballots must be received by the Director of Elections by the close of business on September 15.
  - 7.5.2 On or about September 1, the Director of Elections will notify Unit Board Members of the status of their ballots.

### **Section 8 – Absentee Ballots**

- 8.1 If a Unit Board member is unable to attend a Unit’s scheduled election meeting, the board member may request an absentee ballot (after an election has been called and nominations have closed).
- 8.2 The board member should notify the Unit President or Secretary that they will not be present at the election meeting.
- 8.3 A request for an absentee ballot should be directed in writing to the Director of Elections.
  - 8.3.1 The Director of Elections will email an election package directly to each Unit Board member.
    - 8.3.1.1 The Unit Board member will vote electronically.
  - 8.3.2 In order to be included in the count, the ballots must be received by the Director of Elections by midnight on September 15.

### **Section 9 – Return of Ballots**

- 9.1 It is the sole responsibility of the Unit to see that all ballots reach the Director of Elections by midnight on September 15. Any ballots received after this date will not be included in the count.
- 9.2 The Director of Elections and one additional member of the professional staff selected by the Executive Director will jointly be responsible for counting election and recall ballots. Each candidate, or his representative, is entitled to witness the opening

and counting. An ACBL employee may not represent a candidate for this purpose. The rules for counting ballots for elections and recalls shall be the same.

- 9.3 Ballots are not opened until counting commences for each contested position. Before the results are formally released, the Director of Elections will make every effort to verbally communicate the outcome to all candidates.
  - 9.3.1 District Director ballots will be counted on the first business day following September 15, followed by an audit of the initial count.
  - 9.3.2 First and Second Alternate ballots will be counted on the first business day following September 15, followed by an audit of the initial count.
  - 9.3.3 Board of Governors ballots will be counted on the first business day following September 15, followed by an audit of the initial count.
- 9.4 The Director of Elections will release the total number of individual votes received by each candidate within the District as well as the total percentage of the weighted votes received.

#### **Section 10 – Inadmissible Unit Vote**

- 10.1 Under all circumstances in any ACBL District Wide election in which all of a unit's ballots are deemed inadmissible, the Director of Elections may establish a new election within the unit by email ballot within 30 days following all possible appeals.
- 10.2 Such new election will only take place if it might affect the outcome.
- 10.3 Only those persons eligible to vote in the initial election are eligible to vote in the new election.

#### **Section 11 – Elections for District Director, First or Second Alternate Director**

- 11.1 In the event one candidate does not receive a majority of the Unit Voting Power, a run-off election will be held between the two candidates receiving the highest Unit Voting Power in the District.
  - 11.1.1 Upon disposition of any protest that will require a new election, the Director of Elections will commence an email election.
  - 11.1.2 Only those persons eligible to vote in the initial election are eligible to vote in the run-off election.
    - 11.1.2.1 The ballots must be returned to the Director of Elections

within 30 business days following the emailing of same.

11.1.3 During the period of a run-off or new election, the incumbent Director will continue in office until his/her successor is certified by the ACBL Board of Directors.

11.2 If there are no declared candidates in an election year for the position of District Director, First Alternate Director or Second Alternate Director, the position will be declared vacant at the conclusion of the incumbent's term by the Director of Elections.

11.2.1 Such vacancies are to be filled in accordance with the ACBL Bylaws.

### **Section 12 – Election for Board of Governors Representatives**

12.1 The three candidates in each district receiving the greatest Unit Voting Power will be deemed elected.

12.2 If there are not three declared candidates for Board of Governors Representatives, the position(s) for which there is no candidate(s) shall be filled in accordance with the ACBL Bylaws.

### **Section 13 – Nullification of Election for District Director**

13.1 The death or ineligibility to run as a candidate for District Director, opposed or unopposed, during the period of time from June 1 to the close of business on September 15, will cause a new election to take place.

13.1.1 The new election will commence under the direction of the Director of Elections.

13.1.1.1 The Director of Elections will set new dates for the District election in order to allow the appropriate amount of time for candidates to file and campaign.

13.1.1.2 The same Unit Board members will be called upon to vote in the new election.

13.1.2 If the new election is still in progress when the term of office expires, the incumbent District Director will continue in office until his/her successor is certified by the ACBL Board of Directors.

13.1.3 If the incumbent does not remain in office until a successor is chosen, an appointment will be made to the position following the succession



procedures in the ACBL Bylaws.

- 13.2 The resignation of a candidate for District Director in a two-candidate race will cause the remaining candidate to be declared elected.
- 13.3 The resignation of a candidate for District Director in a three+ candidate race will cause only the preparation and dissemination of new balloting materials.
  - 13.3.1 The same Unit Board members will be called upon to vote in the new election.

## **Section 14 - Protests**

- 14.1 A protest to an election is under the authority of the ACBL Board of Directors and will be heard by the Election Protest Committee.
- 14.2 The Election Protest Committee is composed of the three District Directors, all in the first year of their current term, who are most senior in length of service on the ACBL Board of Directors.
  - 14.2.1 No member of the Election Protest Committee may serve on the Appeals and Charges Committee for the purpose of the election appeal.
- 14.3 A protest to an election should be filed with the Director of Elections in writing and must specify in detail the nature of the protest.
- 14.4 The protest must be postmarked no later than 10 days after the election results are announced by the Director of Elections.
  - 14.4.1 If the 10th day is a postal holiday, the 10th day will be deemed to be the next day that is not a postal holiday.
- 14.5 The Election Protest Committee will review the protest forthwith and will forward a copy of the protest to each candidate in said election.
  - 14.5.1 As part of such review, the Committee may hold hearings, interrogate witnesses, examine all pertinent documents, and do any and all things necessary to decide such protest in an equitable manner.
  - 14.5.2 If, in its judgment, it is desirable and practical, the Committee may arrange for email or mail ballots to be sent to the Board members of the units involved in the protest. The time of return of ballots is to be fixed by the Election Protest Committee.

- 14.6 The Election Protest Committee will decide the protest and mail a copy of the decision, along with an explanation of such decision, to all interested parties.
- 14.7 An appeal of the Election Protest Committee's decision to the ACBL Board of Directors must be filed within 10 days after the announcement of the Committee's decision; otherwise, such decision is final.
- 14.8 The investigation of the protest will be assigned to the Appeal and Charges Committee of the ACBL Board of Directors.
  - 14.8.1 In the conduct of such investigation, the Appeals and Charges Committee may hold hearings, interrogate witnesses, examine all pertinent documents, and do any and all things necessary to determine all the facts to assist the ACBL Board of Directors in deciding the appeal in an equitable manner.