

TITLE: *District Election Rules and Procedures*

BOARD POLICY:

Preface: These District Election Rules are based upon the national AAP Election Rules that govern campaign activities for president-elect candidates. The principles set forth by the AAP Board of Directors for “controlled campaigning” with respect to national elections apply equally to district elections. The intent of these rules is to provide greater clarity and specificity for district elections than that which is included in the national AAP Election Rules. They are also intended to provide equality in the campaign among all candidates running for district office.

Voluntary Disclosure: All candidates for elected office (defined as candidates for the positions of President-elect, District Chair, District Vice Chair, and National Nominating Committee representative), upon selection as candidates, shall be provided with the Academy Conflict of Interest statement and shall be required to complete the voluntary disclosure information.

I. District Nominating Committee (DNC)

A. Composition

1. Chairperson: District Representative to the National Nominating Committee (NNC)
2. Membership: Chapter Presidents and Chapter Vice Presidents from each chapter within the district
3. Ex-Officio (non-voting): District Chairperson, District Vice Chairperson, District Representative to the Chapter Forum Management Committee

B. Voting Procedures/Conflicts of Interest

If the District Nominating Committee Chairperson (NNC Representative) is running for another district office, then the DNC shall select another Chair. A member of the DNC may not vote on any nomination for an office for which that member is a candidate. (AAP Bylaws, Article VII, Section 4) The members of the DNC shall in all other respects abide by the AAP Conflict of Interest Policy with respect to all DNC matters.

C. Special Procedures/Campaign Guidelines

Individual districts may set their own guidelines for succession for district offices to meet their own unique situations and needs. For example:

1. District VII: A state cannot succeed itself after completion of a term in office. Only two of the four national officers may be from the same state. (District VII meeting minutes, March 14, 1999).
2. District X: The District Chair and District Vice Chair may not be from the same state.

D. Duties

1. The DNC shall nominate no more than two candidates for each position of District Chair, District Vice Chair, and National Nominating Committee Representative. Notice that nominations are going to take place shall be given to the vote-eligible members of the district at least 30 days prior to the DNC meeting to allow the voting membership to suggest potential candidates. [NOTE: Except in the case of a special election, this notification is included in an issue of *AAP News*, which is considered adequate notice.] (AAP Bylaws, Article VII, Section 5)
2. Petitions nominating candidates for District Chairpersons, District Vice Chairpersons, and National Nominating Committee Representatives must have the signatures of at least 5% of the vote-eligible members from a majority of the Chapters in the District. No more than 50% of the signatures may come from any one Chapter. Petition candidates shall be verified by the DNC. Petitions must be received by the AAP Executive Director at least 30 days prior to the election. (AAP Bylaws, Article VI, Section 6)
3. The DNC shall appoint individuals to fill interim vacancies in the positions of District Chair, District Vice Chair, Representative to the National Nominating Committee, and Representative to the Chapter Forum Management Committee. The DNC shall also elect the district representative to the Chapter Forum Management Committee (for more details, see AAP Bylaws, Article VII, Section 5).

II. Election Rules for District Offices

- A. The DNC is strongly encouraged to nominate two candidates for each of the elected offices within the district (District Chair, District Vice Chair, and National Nominating Committee Representative). The DNC is directed to select the best available qualified candidates. Having two candidates for district office is especially desirable to promote interest in the election, but experience has shown that it is in the best interest of the AAP to allow the DNC some leeway in nominating either one or two candidates for each position.
- B. The following matters are left to the discretion of the DNC:
 1. The DNC may nominate a candidate to run against an incumbent District Vice Chair or District Chair who is eligible for re-election.
 2. The DNC may decide whether or not to nominate a District Chair or Vice Chair who is eligible for re-election.
 3. The DNC may decide whether a District Vice Chair should be selected as a candidate for District Chair.
- C. Paid consultants (persons or entities with signed consulting agreements with the AAP), paid editors, and AAP staff or other individuals employed by the AAP (at the national, district, or chapter level) will not participate in any campaigning for candidates for district offices (defined as District Chairperson, District Vice Chairperson, Chapter Forum Management Committee Representative, and National Nominating Committee Representative). Members of the national Board

- of Directors, Chapter and District officers, National Nominating Committee members and DNC members may campaign for district office candidates, but only as individuals and not using their AAP title or position.
- D. Campaign Rules: In order to promote the goals of the campaign to engage the electorate in a fair and balanced manner, the following rules shall apply:
1. Because of the expense of mass mailings using standard mail, such mass mailings, as well as production and distribution of posters, buttons, and placards, are prohibited.
 2. Candidates for district office shall have fair and equal access to chapter and district e-mail lists. Availability of such lists to the candidates shall be at the discretion of the chapter presidents and district chairpersons in consultation with the chairperson of the District Nominating Committee, as necessary and appropriate.
 3. Electronic communication is allowed, including use of district e-mail distribution lists (*e.g.*, Listservs®), web sites, social media, blogs, and the like. Adhering to use of professional etiquette is required. Postings will not disparage any candidate. Should a district candidate establish a web site, the cost will be borne by that candidate. District candidate web sites should include a link back to the AAP and district web site (if a district web site exists).
 4. Official national, district, state, or chapter stationary or supplies (including official district and chapter web sites, blogs, and e-mail/fax blasts) shall not be used for any purpose directly related to campaigning for any specific candidate(s). It is permissible to use district or state chapter websites, blogs, and/or e-mail/fax blasts to promote the election, but they must provide an equal and balanced view of each candidate.
 5. Chapter, section, district and national officers may not use their official AAP titles in correspondence regarding specific candidates, including on e-mail distribution lists (*e.g.*, Listservs®) or postings to AAP members. They may campaign for specific candidates as individuals without using their AAP titles.
 6. Chapters and districts may encourage their members to vote in district and national elections. In doing so they may mention the candidate running for district and national elections from their own chapter or district as long as all other candidates running for the same office are also mentioned in like manner in the same communication.
- E. National office, Washington office, and Editorial office supplies and facilities – except for those used in official AAP-sponsored campaign activities – will not be used in support of specific candidates during the campaign.
- F. Any pediatric publication or official web site carrying the logo of the American Academy of Pediatrics or sponsored by a state chapter or district of the AAP shall present a balanced view of each district candidate. Such articles shall be published simultaneously, be of nearly equal length in word count and column length, and be placed within the publication in such a manner as to give equal exposure to each candidate.

- G. There shall be a limit on personal campaign expenditures, the amount of which will be determined by the DNC by the conclusion of the ALF. Campaign expenditures shall be limited to the candidate's personal resources. No institutional or corporate financial resources may be utilized for campaigning for district office.
- H. Appropriate district campaign activities may include attendance by district candidates at their respective district meetings. However, the candidate for NNC Representative will be invited to the district meetings only if the other candidate for the same office is attending the meeting at the AAP's expense (*e.g.*, if the individual holds an office that warrants his or her attendance).
- I. Candidates may attend other meetings within the district provided their presence is integral to their official AAP responsibilities (*e.g.*, as chapter or district officer) and these settings shall not be used as a campaign opportunity. If one district candidate is present at a chapter or other meeting within the district, and the other district candidate is not present, there should not be any mention made of the campaign or the candidacy at that meeting.
- J. Candidates may accept speaking engagements on the basis of scientific, professional, or Academy business. Speaking engagements should not be undertaken for the primary purpose of electioneering or campaigning.

III. Election Oversight

The following steps will be followed in addressing allegations of campaign rule violations:

- A. Submission of Complaint to DNC
 - 1. Any AAP member may submit a complaint alleging a campaign rule violation by a district candidate or anyone acting on behalf of a particular district candidate provided that any such complaint must be submitted before the winning candidate is installed in office. The complaint should be in writing and sent by email, with a copy by regular mail, to the AAP NNC staff person, who will distribute it immediately upon receipt to the DNC Chairperson of the district with respect to which the violation is alleged to have occurred, and to the NNC Chairperson.
 - 2. The DNC Chairperson shall provide a copy of the complaint to each person who is the subject of the complaint ("respondent") and shall contact each respondent by telephone within two calendar days following the DNC Chairperson's receipt of the complaint. A notice setting forth the procedures for responding to the complaint shall accompany the complaint. The AAP NNC staff person shall be the initial contact for all written complaints and all responses to them, shall be copied on all communications, and shall provide copies of all complaints, responses and other communications respecting the complaints to the members of the Executive Committee of the AAP Board (the "Executive Committee").
 - 3. The response to the complaint shall be in writing and shall be submitted to the AAP NNC Staff person by email, with a copy by regular mail, within two calendar days following the respondent's receipt of the complaint.

4. The DNC Chairperson (or designee, if the DNC Chairperson is a candidate for another district office) may consult with the other members of the DNC and/or other DNC Chairpersons (*i.e.*, members of the NNC) for counsel on district campaign issues, as necessary and appropriate, in resolving a complaint.
 5. Within two calendar days following the earlier of (i) the receipt of all responses to the complaint and (ii) the expiration of the two-day period for responding, the DNC Chairperson shall prepare a report of his or her findings regarding whether a violation has occurred and the AAP NNC staff person shall submit that report to the NNC Chairperson. If the DNC Chairperson finds that a violation has occurred, a recommendation for action shall be included in his or her report. The DNC Chairperson's report shall be in writing, shall set forth the basis for the findings, and shall be accompanied by all relevant documents, including the complaint and the responses to it submitted by each respondent.
 6. Upon receipt of the report of the DNC Chairperson, the AAP NNC staff person shall provide the complainant and each respondent with a copy of the report and all attachments to it. At the same time, the AAP NNC staff person shall inform the parties of the right to appeal the findings and recommendations of the DNC Chairperson to the NNC. Any such appeal must be submitted to the AAP NNC staff person within two calendar days following receipt by the parties of the DNC Chairperson's report.
- B. Resolution by NNC
1. The NNC shall resolve the appeal within three calendar days following its submission. Whether or not any party takes an appeal from the decision of the DNC Chairperson, the NNC shall have the discretion, but shall not be required to review the matter *de novo*. The final determination of the action to be taken with respect to a violation shall be within the sole discretion of the NNC. Any member of the NNC who is a candidate for the election in question shall recuse herself or himself from this process and in all other respects the AAP Conflict of Interest Policy shall be adhered to in this process.
 2. Actions that may be taken by the NNC include, but are not limited to, the following:
 - sending letters of reprimand to individuals,
 - requiring a candidate to withdraw from the election
 - providing a summary of the NNC's findings with respect to the violation that may in the discretion of the NNC be published in official district publications prior to the time the election closes.
 - Requiring a remedy, as deemed necessary and appropriate, to correct the violation.
 3. The NNC shall prepare a written report of its findings and any action taken and the AAP NNC staff person shall submit that report to the Executive Committee, the Board of Directors, District Nominating Committee, the complainant, and each respondent.

4. The decision of the NNC shall be final, pending Board of Directors review and approval of the NNC report.

IV. Logistics of the District Election

- A. There will be a moratorium on any and all campaign activities until the Annual Leadership Forum.
- B. Candidates will distribute the District Election Rules to AAP members offering support to the candidate in order to clarify what they are allowed to do.
- C. The District Election Rules will be published on chapter/district web sites and in newsletters and any other publication for general membership communication as deemed appropriate by the NNC.
- D. Candidates for District Office will prepare the following information for publication in *AAP News* and on the Member Center of the AAP web site:
 1. All candidates for office will provide biographical information (not more than 250 words and written in the 3rd person) to accompany the ballot.
 2. District Chair Candidates will provide a position statement (not more than 350 words) to accompany the ballot.
 3. All candidates will provide a color, digital “head and shoulders” photograph with sufficient resolution for reproduction and publishing.

FLOW CHART FOR DISTRICT ELECTION DISPUTE RESOLUTION

COMPLAINT TO NNC STAFF → DNC CHAIR

↓ (2 days)

**DNC CHAIR PROVIDES WRITTEN SUMMARY AND CONTACTS BY PHONE
SUBJECTS OF COMPLAINT SETTING FORTH PROCEDURES FOR
RESPONSE**

↓ (2 days)

RESPONDENTS PROVIDE WRITTEN RESPONSE TO NNC STAFF

↓ (2 days)

**DNC CHAIR (with DNC and/or NNC counsel) ISSUES REPORT &
RECOMMENDATIONS FOR ACTION TO NNC STAFF WHO PROVIDES IT TO
NNC CHAIR, COMPLAINANT & RESPONDENTS WITH INFORMATION ON
RIGHT TO APPEAL**

↓ (2 days)

FILING OF APPEAL

↓ (3 days)

**NNC RESOLVES APPEAL & SUBMITS FINAL REPORT TO AAP EXECUTIVE
COMMITTEE, BOD, DNC, COMPLAINANT & EACH RESPONDENT**

Oversight: Executive Committee

Creation/Revision Date: 3/12
