

## ***Bylaws, Rules and Templates Concerning Chapter and Group ExCom Elections***

This package consists of the bylaws, rules and templates that govern chapter and group elections for Executive Committee members. In particular, the following are included:

- A template for an ExCom resolution appointing the Nominating and the Election Committees.
- A template for an election schedule.
- A template of an ExCom ballot.
- Relevant chapter and group bylaw sections, chapter and group standing rules (“CGSRs”), and relevant National Sierra Club Standing Rules governing election mailings.

The templates are examples that should work for chapters and groups, although other formats may work equally well. The ballot template assumes it will be sent as part of a chapter newsletter covering both chapter and group elections.

The bylaws, CGSRs and relevant national Sierra Club Standing Rules governing election mailings apply to all chapter and group ExCom elections whether or not they have been explicitly adopted by the chapter or group. Chapters or groups may adopt, or may have adopted, additional standing rules so long as they do not conflict with these bylaws and rules.

This package supersedes the Chapter and Group Election Procedures adopted in 1986. It was approved by the Organizational Effectiveness Governance Committee in 2008. (This committee no longer exists, and its role with regard to chapter and group elections is retained by the Board advised by the Bylaws, Standing Rules and Elections Team, which deals with chapter and group issues.)

Further amendments were adopted by the Board of Directors on July 25, 2011, to allow for electronic ExCom elections.

## ***Sierra Club Chapter and Group Executive Committee Election Schedule Instructions***

At its first meeting each year, the Executive Committee should adopt a resolution that sets the schedule and appoints the Nominating and Election Committees for the next election.

**Resolution: The Executive Committee appoints the Nominating and Election committees and sets the schedule for the next election as follows:**

[SEE NEXT PAGE FOR SCHEDULE]

The Executive Committee must decide whether it will allow for electronic voting prior to the appointment of the Nominating Committee.

**The following members constitute the Nominating Committee for the next election:**

*Appoint at least 3 Chapter/Group members, at least one of whom is not an Executive Committee member. None may be candidates in the election. There is no prohibition against a volunteer serving on both the Nominating and Election Committees.)*

[LIST NAMES OF NOMINATING COMMITTEE MEMBERS]

**The number of signatures required by the bylaws for nomination of a candidate by petition is:**

*(Refer to your Chapter's or Group's Bylaw 4.3 for this number.)*

*Instructions for completing Schedule: Step One: Select Closing Date (date by which ballots must be received). Step Two: Select Election Materials Mailing Date. Step Three: Fill in each remaining **BOLD** Date. Step Four: Enter remaining dates on schedule.*

## ***Election Schedule***

**EXECUTIVE COMMITTEE DECIDES WHETHER IT WILL ALLOW FOR ELECTRONIC VOTING** *(must be decided prior to appointment of the Nominating Committee)*

**EXECUTIVE COMMITTEE APPOINTS NOMINATING COMMITTEE** *(must be appointed no later than 4 months prior to Closing Date, but recommend appointment as early in year as possible is recommended to maximize opportunity to recruit nominees):*

Executive Committee Appoints Election Committee *(must be appointed prior to ballot mailing date, but recommend appointment early in election cycle is recommended— preferably at same time as Nominating Committee - so available to respond to any early-arising inquiries and complaints):*

Publish written notice of key election dates (indicated by \*), opportunity to nominate candidates, and rules for petition candidates to all members:

Deadline to Submit Names to Nominating Committee for Consideration *(provide sufficient opportunity for members to submit names for consideration):*

**\* NOMINATING COMMITTEE REPORTS NOMINEES TO EXECUTIVE COMMITTEE** *(must be at least 5 weeks prior to Election Materials Mailing Date):*

**\* Deadline to Submit Petitions to Secretary (or Executive Committee Designee)** *(must be at least 2 weeks after Nominating Committee Report):*

Election Committee Prepares election materials by:

Paper Ballots Printed by:

**\* The list for sending election materials or for the newsletter containing the election materials obtained by** *(must be no earlier than one week prior to the date election materials are sent)* This list constitutes the voter list for the election:

**\* WEEK OF ELECTION MATERIALS MAILING** *(must be at least 4 weeks prior to Closing Date):*

**\* CLOSING DATE OF ELECTION** *(must be in fourth quarter, Oct.-Dec.):*

**\* Election Committee Counts Valid Ballots and Notifies Candidates, ExCom, and Other Interested Parties of Result** *(as soon as practical after Closing Date)*

Date:

Time:

Place:

Election Committee hears any complaints from candidates or others, and then formally reports election results to the Executive Committee. The Executive Committee hears any appeals of complaints regarding election results; when all appeals have been completed (including appeals of ExCom decisions), it directs destruction of nomination petitions and ballots *(at next Executive Committee meeting)*.

[Sample Paper Ballot]

# ABC Chapter Newsletter

## Chapter Election Issue – Please Vote

Make your voice heard in the ABC Chapter of the Sierra Club by voting in our annual Executive Committee election. Here's how to vote:

- 1) Your ballot will be counted only if it is received by the Elections Committee before \_\_\_p.m. on [day], [date].
- 2) Use the ballot on the reverse side of this page. Duplicate ballots will not be accepted unless they were issued by the Elections Committee\*. Please mail or deliver your ballot to:

Elections Committee  
Sierra Club ABC Chapter  
1872 John Muir Drive  
Yourtown, State 01015

Please include the mailing label from this newsletter pasted below so we will know this is a valid ballot; this label will be removed before it is counted in order to maintain secrecy.

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\*{GC: This wording is a little odd and seems to imply that the Elections Committee can allow some people to vote twice, which is of course not the intention. Is this a "replacement" ballot?}

[Mailing label]

- 3) Each Chapter member can vote in the Chapter-wide Executive Committee election and in the election for the Executive Committee of his or her local group. To determine which group you belong to, look at the four digit number that begins with \_\_\_ [chapter number] near the middle of the second line of your mailing label (first line for labels sent outside the U.S.). The groups are designated as follows:

Number	Group
[Grp.#]	[Grp. Name]
[Grp.#]	[Grp. Name]
[Grp.#]	[Grp. Name]
[Grp.#]	[Grp. Name]
[Etc.]	

- 4) The Sierra Club national office assigns a membership number to each member when their membership paperwork was originally processed. This number is on your mailing label. The Elections Committee cannot accept any ballot lacking this number.

- 5) Your mailing label also indicates, just after the group number whether your household has a single (S) membership or a joint (J) membership. With a joint membership, two members' votes can be recorded on the same ballot.

The ballot indicates how many candidates you may vote for in each race. For some groups, there may be fewer candidates than vacancies. Your group chair can explain the procedures to fill vacancies after the election.

You'll find your ballot and some additional guidance on the reverse side of this page. The candidates' ballot statements are found on pages \_\_\_ through \_\_\_. If you have any questions about the election process, contact \_\_\_\_\_, the Chair of the Elections Committee at \_\_\_\_\_.

### Candidate Information

For candidate information and statements, see pages starting at E-3.

Please vote for the Chapter Executive Committee as well as the Executive Committee of your regional group. See instructions on page 1, including how to determine your group.

Candidate names have been listed in random order.

<b>Chapter ExCom</b> (vote for no more than 5)	Single Member or First joint member	Second joint member
Candidate A		
Candidate B		
Candidate C		
Candidate D		
Candidate E		
Candidate F		

<b>Regional Group A</b> (vote for no more than 3)	Single member or first joint member	Second joint member
Candidate M		
Candidate N		
Candidate O		
Candidate P		

<b>Regional Group B</b> (vote for no more than 4)	Single member or first joint member	Second joint member
Candidate S		
Candidate T		
Candidate U		
Candidate V		
Candidate W		
Candidate X		

**Submitting Your Ballot**

Fold this page along the dashed line, then along the solid line, so that the Chapter address panel (right) shows on the outside. Do not include anything else with the ballot — no checks, notes, letters to the editor, etc. Seal it shut with tape (no staples). Better yet, put your ballot into an envelope so it is less likely to be damaged during handling by the postal service; copy the address onto the outside of the envelope.

Either deliver your ballot to the Chapter Office or affix proper postage and mail it to:

Elections Committee  
 ABC Chapter  
 1872 John Muir Drive  
 Yourtown, State 01015

Ballots sent by FAX or e-mail are not acceptable and will not be counted.

The ballot must be received by the Elections Committee at the Chapter office on or before [date] at [time].

If you have questions, contact \_\_\_\_\_, Elections Committee Chair at (101)777-1872.

Volunteers to help count ballots are always needed. If you can assist, please contact .....

Place  
 First Class  
 Postage  
 Here

Elections Committee  
 ABC Chapter  
 1872 John Muir Drive  
 Yourtown, State 01015

# ***Sierra Club Chapter And Group Election Bylaws and Standing Rules***

*(Based on Model Chapter Bylaws, but Model Group Bylaws take same form.)*

## **Bylaw 4. Nominations and Elections**

**4.1 Annual Election.** An Annual Election shall be held in the fourth quarter of each year to choose ExCom members. This election shall be conducted by written ballot or through a secure website made available to all Chapter members of record at least four weeks before the closing date of the election, and shall be conducted in such a manner as to ensure facility of voting and tabulation. The ballot shall allow each voter to vote for as many candidates as there are positions to be filled. A voter may not cumulate votes for any candidate.

The ExCom shall specify the calendar dates and deadlines for appointing the Nominating Committee (NomCom), production of eligible voter lists, receipt of names for consideration by the NomCom, receipt of ballot issue petitions, the NomCom report of names of nominees, receipt of candidate petitions, appointment of the Election Committee, printing and mailing dates for election materials allowing at least four weeks for return of the ballots, receipt of returned ballots, and the date, time and place for counting ballots.

The ExCom shall provide written notice of this schedule and of the opportunity to nominate candidates by petition to all Chapter members.

CGSR<sup>1</sup> 4.1.1 Newsletter or website publication is sufficient for written notice to members. Chapters must publish this information for Groups without websites, newsletters or mailing budgets.

**4.2 Nominating Committee.** A Nominating Committee (NomCom) of at least three Chapter members, at least one not an ExCom member, none of whom may be a candidate, shall be appointed annually by the ExCom not later than four months before the designated closing date of the election. Sufficient opportunity shall be given for Chapter members to submit names for consideration by the NomCom. The NomCom shall attempt to nominate at least two more candidates than the number of ExCom members to be elected, and shall report the nominees' names to the ExCom at least two weeks before the deadline for submission of nomination petitions and five weeks before the scheduled mailing of the ballots. Nominees shall be Chapter members who give their consent. If the NomCom chooses not to nominate a willing candidate, the NomCom shall promptly inform that candidate of

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<sup>1</sup> CGSR means Chapter or Group Standing Rule, so as to distinguish these rules from the Standing Rules of the National Sierra Club.

**the opportunity to seek nomination by petition.**

CGSR 4.2.1 An election should not be delayed if the Nominating Committee does not nominate at least two more candidates than the number of Executive Committee members to be elected

CGSR 4.2.2 The Executive Committee may accept, but not modify the Nominating Committee report. Formal acceptance of the report shall not be required for the election to proceed.

CGSR 4.2.3 Chapter or Group employees and independent contractors may not hold elected positions on their respective Executive Committee.

**4.3 Petition Candidates. The name of any Chapter member proposed in writing by at least [\_\_\_\_\_] Chapter members prior to the deadline for submission of petitions, and who gives consent, shall also be included on the ballot. The nomination petitions shall be retained until the ballots are destroyed.**

CGSR 4.3.1 The number of valid signatures needed to nominate by petition shall be set forth in the published information about the election as a number of members, not a percentage. This number shall be published at or before the opening of nominations.

CGSR 4.3.2 For a signature to be valid, the signer must be a member of the relevant Chapter or Group on the date of the deadline to submit petitions. The signature of the petition candidate shall be counted.

**4.4 Election Committee. An Election Committee of at least three Chapter members, at least one not an ExCom member, shall be appointed annually by the ExCom prior to the scheduled date of mailing of election materials. No candidates may serve on the Election Committee. The Election Committee shall cause the election materials to be prepared and sent, and shall count the returned ballots. Challenges of the conduct of candidates or their campaigns shall be referred to the Election Committee. Decisions of the Election Committee may be appealed to the ExCom. (See also Bylaw 3.7 regarding the designation of ExCom members as members of the Election Committee.)**

Rules Regarding Ballot Statements

CGSR 4.4.1 The Nominating Committee shall specify a standard format (using a form or written guidelines) for each candidate's statement, which shall specify the maximum number of words for each statement.

CGSR 4.4.2 The Election Committee shall review candidates' statements for compliance with the prescribed format, length, and to correct significant errors of

fact about the Club. If a candidate fails to revise the statement conform to the prescribed format or length within five (5) days of a request by the Election Committee, it shall change the statement to do so. If the candidate refuses to correct a significant error of fact about the Club, the Election Committee shall publish a correction below the candidate's statement in the ballot materials. Candidates must submit with their statements evidence that each listed endorser has agreed to be so listed.

CGSR 4.4.3. Candidates are legally responsible for the content of their ballot statements and will indemnify and hold the Club harmless for any legal claims, such as libel, and related costs that arise out of the Club's publication thereof.

#### Rules Regarding Campaigning

CGSR 4.4.4 Endorsements. Chapters and Groups may not endorse candidates in Chapter and Group elections. Club members acting on an individual basis and not in a Club capacity may endorse candidates, however. Club leaders may use their Club titles to endorse candidates only in the candidate's ballot statement.

CGSR 4.4.5 Club Publications and Websites. If Club publications such as newsletters and websites are made available for candidates to campaign, all candidates must be informed and given an equal opportunity to make statements or have statements made on behalf of their candidacy.

Articles. (i) No articles or messages by or about individual candidates shall be published in *SIERRA*, Club newsletters, web pages, or other Club publications between the close of nominations and the date set for counting Club ballots, except for routine articles or messages (defined below).

(ii) An article or message is "about" a nominee or petition candidate if it either mentions the fact that the member is a candidate or has as its principal focus the candidate, as opposed to an incidental reference. An article or message is not "about a candidate" if it merely discusses the Club's elections, the functioning of the Board of Directors, or issues presented by the election without mentioning the names of any individual candidate or expressly advocating that members vote for or against any identifiable subset of candidates. An article or message is "routine" if it (A) does not mention the fact that the author or subject is a candidate, (B) does not mention the election, (C) relates to the candidate's performance of duties in an elected or appointed Sierra Club capacity, (D) is timely for Club purposes, and (E) is sent or published only to members who would normally receive similar articles or messages.

CGSR 4.4.6 Discussion Lists. (Germane discussion of candidates (for example, discussing forestry aspects of a candidacy on a forestry list) may take place on any Chapter or Group Club discussion list, subject to the usual rules of the list and



unless barred by the sponsor/owner of the list. The rules may limit the length and frequency of messages from a discussant. The poster of a message about a candidate shall send a copy of the message to the candidate.

CGSR 4.4.7 Meetings. Candidates or their proxies may speak to groups of Club members about their candidacy at regularly scheduled meetings and outings as long as no additional Club funds are spent. Candidates or proxies who travel to meetings at Club expense may not discuss their candidacy on the floor of the meeting other than a brief announcement that the member is a candidate. Club entities may hold scheduled candidate forums provided that all candidates are given adequate notice and an opportunity to participate.

CGSR 4.4.8 Candidate Websites. Individual candidates or groups of candidates may have their own promotional websites. To avoid any misunderstanding, the opening page of any such site must say “This site is not sponsored or supported by the Sierra Club.”

CGSR 4.4.9 Advertising. No Club publication, including chapter and group newsletters, web pages and electronic bulletin board systems, shall carry advertising for or against a candidate.

#### Rules Regarding Election Complaints and Appeals

CGSR 4.4.10 Decisions by a Chapter Executive Committee on an appeal from a decision by a Chapter Election Committee go to the Bylaws & Standing Rules Committee. Decisions by a Group Executive Committee on an appeal from a decision by a Group Election Committee go to the Chapter Executive Committee.

### **4.5 Availability of Election Ballot Materials. Election ballot materials shall be made available to all Chapter members of record according to the voter list obtained prior to the election.**

CGSR 4.5.1 Members on the list for sending the election materials (or for the newsletter in which the election materials appears) constitutes the list of members of record eligible to vote in the election. This voter list must be obtained no earlier than one week prior to the date election materials are mailed. Any member on this list shall be deemed a member of record. The list or copy of the list shall be retained for ballot verification.

CGSR 4.5.2 Separate ballots must be supplied for each member. Joint members must be provided with two ballots, or a place for each member to vote separately.

CGSR 4.5.3 Election materials may be made available in any of the following ways or in any combination thereof:

- (a) A ballot mailed separately to each eligible member. A single mailing or newsletter suffices to make ballots accessible to joint members.
- (b) A ballot included in a chapter newsletter mailed or electronically dispatched to each eligible member. A newsletter containing ballots shall display a prominent notice that the ballots are included, which is visible without opening the newsletter.
- (c) Electronic notification of a voting website that includes candidate statements, all other election materials and a site for casting votes by each eligible member

CGSR 4.5.4 Club members in any membership class (Regular, Life, or Introductory) are eligible to vote in Chapter and Group elections.

CGSR 4.5.5 Club members who do not receive a ballot, lose the ballot, or spoil the ballot may obtain a replacement from the Election Committee. The Election Committee will control the supply of replacement ballots (including extra copies of newsletters if used to deliver original ballots) until after the closing date of the election.

**4.6 Voting. Eligible members may vote by mailed ballot or through a secure website. The decision to allow electronic voting shall be made by a vote of the executive committee prior to appointment of the nominating committee. Ballots shall be returned to the Election Committee as directed in the ballot instructions. Return of a minimum number of valid ballots shall not be required for the validity of an annual election.**

CGSR 4.6.1 Each vote must be accompanied by the membership number or other identifying number of the voting member(s). The Election Committee shall be responsible for ensuring that each vote cast corresponds to legitimate number(s) of eligible voters.

**4.7 Counting Ballots. The Election Committee shall count the ballots on the closing date of the election, or as soon as practical after the closing date of the election. The candidates or their authorized representatives shall be permitted to be present. The candidates receiving the highest number of votes shall be elected. Any tie shall be resolved immediately, first by a recount, then if necessary by lot at the ballot counting.**

**The Election Committee shall immediately notify the candidates, the ExCom members, and other interested parties, and shall report the results to the ExCom at its next meeting. The ballots and nomination petitions shall be retained until their destruction is directed by the ExCom.**

CGSR 4.7.1 After ballots are verified, such as by review of address labels, labels shall be removed before counting to preserve secrecy.

CGSR 4.7.2 When filling vacancies in unexpired terms by election, longer terms shall be awarded to candidates with more votes. (See Model Bylaw 3.1)

***National Sierra Club Standing Rules  
Regarding Mailings  
Applicable to Chapter and Group  
Elections***

SR 4.1.2: Access to Membership List

(a) A Club member in good standing may request access to the names and postal addresses of Club members for a purpose reasonably related to that member's interest as a Club member. All requests must: (i) be made in writing; (ii) include the Club member's name, address and, if known, Club membership number; (iii) be directed to the Club Secretary, care of the Executive Office; (iv) specify the entire list or that portion of it, based solely on criteria discernable from postal address, being requested; and (v) clearly state the purpose for which access is requested. To assist in showing that the request is made for a purpose reasonably related to the member's interest as a Club member, a copy of the material to be mailed may be submitted with the request. In any event, a copy of the material must be sent to the Executive Office at the time it is mailed to Club members.

(b) Access to the membership list will be provided through a Club-approved mailing house for one-time use. The Club will charge a fee for its cost of compiling and supplying the requested list to the mailing house. All other costs associated with the mailing, including printing and mailing house fees, are the sole responsibility of the Club member and should be arranged with and paid directly to the mailing house.

Adopted 11/19-20/04, 05/19-20/06, 02/24/07

SR. 5.6.1: Promotion of Candidates

(h) Mailings. (i) A member's request for access to the membership list to communicate with other Club members about candidates in a Club election is a purpose reasonably related to that member's interest as a Club member. [see SR 4.1.2] [*Second Sentence Intentionally Omitted*]

(ii) [*Intentionally Omitted*]

(iii) A Club member in good standing may use published Club lists, including the Leader Directory, to communicate with Club leaders about Club elections. However, e-mail addresses and telephone numbers from the Leader Directory may not be used by a Club member for fundraising of any kind.