



## NAHRO Guidelines for National Office Campaigns Amended 2006

### Finances

1. Expenditures by candidates for national office (President and Senior Vice President) shall be limited to \$15,000 from cash and in-kind sources.

2. Three reports of income and expenses shall be provided to national NAHRO by the candidate: the first 90 days before the date on which ballots are to be issued, the second 30 days before the date on which ballots are to be issued (each report must be current within 15 days of the due date), and the final report 6 days prior to certification of the election results.

3. Reports shall record all sources and amounts of cash and the fair value of all "in-kind" contributions of goods and/or services.<sup>1</sup>

-- Income (identify cash and in-kind separately):

Individual, Corporations, State and Regional Chapters, Agency\*

-- Expenses (identify cash and in-kind separately):

Travel, Telephone, Postage, Printing, Promotions, Other

4. The NAHRO Monitor shall report that the Nominating and Election Committee has reviewed candidates' final statements of income and expenses and has found that they are in order and consistent with the guidelines for "National Office Campaigns." NAHRO members who would like to receive a copy of the statements should contact NAHRO's Executive Director. Failure to submit a report shall be considered a violation of these Guidelines.

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<sup>1</sup> The term "in-kind contributions" shall mean a contribution or donation of goods, services, or anything of value, other than money or its equivalent, to candidate or the campaign of a candidate free of charge or for less than fair market value. In-kind contributions shall include sums spent or liabilities incurred by a person in cooperation, consultation or in concert with, or at the request or suggestion of, a candidate or a candidate's campaign. In-kind contributions do not include the value of time spent by unpaid volunteers engaging in campaign activities on a candidate's behalf.

\*NAHRO cautions candidates to consider federal and local regulations concerning the use of public

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funds and resources.

### **Nominations and Campaigns**

5. Candidates will not publicly announce their candidacy until they are on-site at the National Conference and Exhibition in even-numbered years. Announcements may be made at the time of preliminary conference activities, but not during official NAHRO functions, e.g., committee meetings.

6. Prior to announcing their candidacy on-site at the National Conference and Exhibition in **even-numbered** years, potential candidates may seek the endorsement and/or support of their own Regions or Chapters/State Associations. They may seek these endorsements starting April 1 of the even-numbered years. Regions and Chapters and potential candidates are prohibited from making any public announcements of endorsements before the formal announcement at the National Conference and Exhibition. **(This provision shall become effective in 2008.)**

7. NAHRO staff shall not endorse any candidate or give personal advice to any candidate.

8. Candidates shall refrain from seeking or using endorsements of entities outside the NAHRO organization.

9. National NAHRO will provide a program opportunity for candidates at each national conference beginning with the National Conference and Exhibition in even-numbered years. Therefore, candidates will have three opportunities to address the NAHRO membership: National Conference and Exhibition in even-numbered years, Legislative and Summer Conferences in the election year.

10. National NAHRO may provide each region with a videotape of the candidates' forum held at the Legislative Conference. **(NAHRO will record the forum and provide this recording on its website in MP3 format so that members can download and listen to the proceedings.)**

11. National NAHRO, through the Nominating and Election Committee, will pose the question of the month to candidates. The candidates' answers will be posted on the NAHRO website.

12. National NAHRO will feature election news in several issues of the *Associates Advantage*.

13. NAHRO staff should consider and implement other technological means of communication, i.e., web casting, if feasible, subject to approval of the Nominating & Election Committee.

14. National NAHRO will provide each candidate with a page on the NAHRO website. The candidates will be responsible for submitting content for the webpages, but NAHRO will be responsible for updating the webpages with this content. Each candidate's page shall feature a photo of the candidate, the candidate's campaign statement, his/her response to the question of the month and a list of endorsements. Candidates may include additional material or customize their webpages for a fee, which must be counted against their campaign expense cap. Candidates are prohibited from setting up their own or using an existing website for the election.

15. The *NAHRO Monitor* and/or the *Election News Monitor* will feature a Campaign Statement from each candidate, date to be determined by national NAHRO staff.

**16. National NAHRO will urge Regions and Chapters to provide coverage in their newsletters of candidates' platforms and to link candidates' webpages on the NAHRO website to Regions' and**

**Chapters' websites.**

**17. Regions and Chapters will provide announced candidates with the publication deadlines and specifications for the submission of material for their Regional and Chapter newsletters.**

18. NAHRO will provide each candidate with one set of mailing labels, but will not provide lists that contain e-mail addresses or phone numbers. Candidates are prohibited from sending e-mails to the entire membership, but may ask the designated NAHRO staff to send one e-mail per period (periods being defined as: October-December, January-March, April-June, July-August, and September-October) to all current associates entitled to vote. Staff will transmit candidates' e-mails in the order that they are scheduled with staff, but will schedule no more than one a day.

19. National NAHRO will insert, if candidate desires, one piece of campaign literature from each candidate in the delegate packets of the Legislative and Summer Conferences in an election year. Material shall be counted as a campaign expense. Candidates must submit their material according to the schedule provided by staff.

**20. National NAHRO will provide a table and campaign space in the vicinity of the registration area possible, for candidates at the Legislative and Summer Conferences in an election year. Regions, Chapters and State Associations are encouraged to do so as well.**

21. Candidates (including others acting on their behalf) are prohibited from distributing campaign literature or other campaign-related materials and from conducting campaign activities during professional conference sessions or committee meetings while delivering training or technical assistance for NAHRO or Regions, Chapters, and State Associations, and during any other organized meeting of NAHRO.

22. Candidates are prohibited from campaigning or distributing campaign literature from any exhibit booth in the exhibit hall, except a booth purchased by the candidate. Exhibit fee must be counted against candidate's campaign expense cap.

**23. Candidates must agree to limit their travel to only national NAHRO conferences and meetings, unless within their own Region, or unless the organization inviting them invites all candidates and pays expenses for all candidates. Regions and Chapters shall not pay candidates a per diem. Region or Chapter, at a minimum, provides for one night's hotel accommodations, coach or economy class airfare, and meals for one day. All candidates shall be treated the same. Any additional expenses incurred by a candidate who chooses to extend his/her stay at the meeting shall be campaign expenses and must be counted against such candidate's campaign expense cap.**

**24. If and when candidates are invited to national, regional or state meetings, they shall be invited with equity in terms of conference role. They may, and are encouraged to, be utilized in a program role in the conference as well as a candidates' forum, if any.**

25. Candidate may carry out activities of his/her respective position within NAHRO without being in violation of the guidelines, e.g., trainer, chair of a national committee or group.

26. Other than guidelines for travel relating to invitations to conferences, candidates shall not be restricted from conducting other official business of the association.

27. Candidates and their campaign managers must sign a Certification Statement to be prepared by national NAHRO which states that they have received, read, understand, and will abide by the "Guidelines for National Office Campaigns." Certification Statement must be signed before candidates and campaign managers engage in campaign activities.

**28. Even if there is only one candidate for an office, he/she should be given exposure to the NAHRO membership, e.g., conference programs, *NAHRO Monitor* and chapter and regional newsletters.**

29. The entire membership shall be given notice as to who constitutes the Nominating and Election Committee via *Associates Advantage* and a regular issue of the *NAHRO Monitor*. The *Monitor* article should clearly encourage agencies to share this information with all eligible voters on their staff.

### **Ballot and Election Results**

30. NAHRO shall provide candidates with a standard format for the submission of material for the election ballots, i.e., biographical information and campaign statement.

31. For the sake of fairness to each candidate, both paper and electronic ballots will show the candidates' names in rotating order for each office. Thus, each candidate for an office will appear on each position on a ballot a fixed percentage of the time. The ballots will be distributed in a representative manner for the mailing or appear online in such a way that members in the same zip code will receive ballots with the candidates' names in different orders.

32. The tabulation of the election results shall include the number of ballots received from each state (there will be no attempt to determine the outcome of voting in each region, just the number of ballots received). This information will then be made available to the candidates or any other Associate upon request.

33. NAHRO will publish in the *Election News Monitor*, *NAHRO Monitor*, and *Associates Advantage* the anticipated date election ballots will be mailed to Associates and the period for voting and provide instructions on what to do if a paper or e-ballot is not received by a specified date.

34. Candidates shall have the results of the election announced to them or their designees prior to the public announcement.

35. If the Nominating and Election Committee selects more than one nominee for a position, NAHRO shall publish an *Election News Monitor*, which will be sent to all eligible voters without an e-mail address. If there are no budgetary constraints, the *Election News Monitor* will be sent to all eligible voters. Voters with e-mail addresses will be notified via a regular issue of the *NAHRO Monitor* and an *Associates Advantage*.

36. The primary means of election ballot delivery shall be electronically. Paper ballots will be used as a backup and for those for whom there is no e-mail address on file.

37. The candidate with the highest number of votes shall be declared the winner.

### **The Role of the NAHRO Staff in the Nominations and Election Process**

38. NAHRO staff will provide administrative support to the Nominating and Election Committee. NAHRO staff will establish a list serve for use by Candidates and their Campaign Managers, the Nominating and Election Committee, and the NAHRO staff. Candidates must use the list serve to pose questions to staff or the Nominating and Election Committee. All responses will be transmitted via the list serve.

### **Complaints of Violations/Sanctions/Appeals**

39. It is the responsibility of all members of the Nominating and Election Committee and candidates to report violations, in writing, to the chair of the Nominating and Election Committee. In addition, any NAHRO Associate may report a violation to the chair of the Nominating and Election Committee, and Associates are encouraged to do so.

40. The Nominating and Election Committee shall have the authority and responsibility to accept, hear, and determine the merits of any complaint alleging a violation of these Guidelines by a candidate for national office (President or Senior Vice President) or any person acting on behalf of such a candidate. The Nominating & Election Committee may also impose sanctions in connection with any determination that these guidelines have been violated. The actions of the Nominating & Election Committee with respect to hearing and determining the merits of complaints and imposing sanctions, and appealing a decision of the Nominating & Election Committee, shall be governed by the provisions set forth in Exhibit A, attached hereto and hereby incorporated by reference.

**Exhibit A**  
**to**  
**NAHRO Guidelines for National Office Campaigns:**

**Violations of NAHRO Guidelines for National Office Campaigns**

**I. Complaints During the Campaign and Election Period.**

The following provisions shall be applicable to a complaint alleging violation of the NAHRO Guidelines for National Office Campaigns (Guidelines) which is communicated to the Executive Director or the Nominating and Elections Committee (N&E Committee) during the period commencing on or after the first date on which announcements of candidacy for the national offices of President and Senior Vice President may be made and continuing until the time of certification of the results of the election by the N&E Committee.

**A. General**

The Nominating and Election Committee (N & E Committee) shall hear and determine the merit of all complaints alleging violation of the NAHRO Guidelines for National Office Campaigns (Guidelines) by a candidate for national office or any person acting on behalf of such a candidate.

**B. Procedure**

Any NAHRO Associate may file a complaint alleging violation of the Guidelines with the N&E Committee or the Executive Director. A complaint may be heard in person or by teleconference or video conference, as the committee shall deem appropriate. The procedure for hearing a complaint, which must allow for presentation by both the complainant and the candidate and provide for expeditious action regarding the complaint, shall be as specified by the N&E Committee. The rules of evidence shall not be applicable, and the standard of proof shall be a preponderance of the evidence. A hearing of a complaint may be open or closed as the N&E Committee shall deem appropriate.

Any determination of violation of the Guidelines and any imposition of a sanction shall require the affirmative vote of a majority of the entire N&E Committee, except that removal of a candidate from the ballot shall require a two-thirds vote of the Committee.

**C. Imposition of Sanctions**

In determining any sanction or sanctions to be imposed in connection with a violation of the Guidelines, the N&E Committee shall take into account the seriousness of a violation, whether it is repetitive, whether it is inadvertent or willful, and such other matters as the committee deems relevant under the circumstances.

The N&E Committee may take any one or more of the following actions with respect to a determination that a violation of the Guidelines has occurred.

1) Issue a public warning to a candidate to cease and desist from further violations, with or without a specification of future sanction in event of further violation.

- 2) Issue a public letter of reprimand to a candidate, with or without a specification of additional sanction or a future sanction in event of further violation.
- 3) Suspend any or all services to be provided by NAHRO national staff to the campaign of a candidate for such period as the committee determines to be appropriate.
- 4) Bar a person who has violated the guidelines while acting on behalf of a candidate from further participation in a candidate's campaign.
- 5) Impose limitations or prohibitions on campaign activities of a candidate and/or others acting on the candidate's behalf, which the committee determines are necessary to achieve fairness and equal treatment among candidates. Such limitations may include, but shall not be limited to, prohibiting or limiting further expenditures.
- 6) Permit other candidates to engage in additional campaign activities or make additional expenditures that the committee determines are reasonably necessary in order to achieve fairness and equal treatment among candidates in the election process.
- 7) Suspend all campaign activities of a candidate for such period as the committee determines to be appropriate.
- 8) Remove a candidate from the ballot, which may occur at any time prior to the certification of the election results by the committee. If a candidate's name is removed after the ballot has been promulgated, all votes for the disqualified candidate shall be disregarded and the remaining candidate with the highest number of votes shall be declared the winner.
- 9) Take such other action as the committee determines to be appropriate under the circumstances.

#### D. Communication of Decision

The decision of the committee that the Guidelines have been violated and any determination concerning the imposition of a sanction or sanctions shall be in writing, delivered promptly, electronically or by other means, to the candidate, the complainant, NAHRO's National President and NAHRO's Executive Director.

#### E. Appeal

A candidate may appeal any decision of the committee with respect to a determination of violation or the imposition of any sanction to the NAHRO Steering Committee, which shall hear the appeal at the earliest practicable time in person or by teleconference. An appeal shall be initiated by a written request to the NAHRO Executive Director made within 5 business days after receipt by a candidate of the decision of the N&E Committee.

Any action of the N&E Committee shall be stayed pending an appeal. Any decision to reverse, affirm, or modify a decision of the N&E Committee shall require the affirmative vote of a majority of Steering Committee members present, there being a quorum, except that affirmance of a decision to remove a candidate from the ballot shall require a two-thirds vote of Steering Committee members present.

The Steering committee may act to reduce the severity of sanctions approved by the N&E Committee but may not increase their severity. The decision of the Steering Committee on an appeal shall be final and conclusive. If notice requesting an appeal is not sent within the 5-day period allowed, the decision of the N&E Committee shall be final and conclusive.

#### F. Public Notice

Any final action determination by the N&E Committee or the Steering Committee (if an appeal is brought) shall be conspicuously posted on the NAHRO website and communicated electronically to the NAHRO membership.

## II. **Complaints Made Subsequent to Election Certification**

A complaint alleging violation of the NAHRO Guidelines for National Office Campaigns (Guidelines), which is brought forward after the time at which the N&E Committee certifies the result of an election, shall be governed by the following provisions:

#### A. Filing and Preliminary Determination.

The complaint shall be communicated in writing to the Executive Director. The Executive Director shall immediately determine if the complaint: 1) alleges a violation of the Guidelines that, if proved, is of sufficient seriousness that the fairness of the election or the fitness of the candidate for office may reasonably be in question, and 2) is based on information discovered at a time at which the filing of a complaint prior to the election certification by the N&E Committee would have been impossible or impracticable. In making these determinations, the Executive Director may confer with the outgoing National President (whose term is then expiring or has most recently expired, as the case may be) and any one or more other past National Presidents.

#### B. Consideration of Complaint.

If the Executive Director determines that the complaint satisfies both of the requirements described in paragraph II. A., he or she shall immediately convene a special meeting of the NAHRO Board of Governors to hear and consider the complaint. At such meeting, the Board of Governors shall determine the merits of the complaint and prescribe such action, if any, as it shall in its sole discretion determine to be appropriate. The outgoing National President (whose term is then expiring or has most recently expired, as the case may be) shall preside at any special meeting held to consider the complaint.

The meeting may be held in executive session if the Board of Governors determines such action to be appropriate. The decision of two-thirds of those present, there being a quorum, shall be required with respect to any determination or action taken regarding the complaint. The complaint shall be heard and decided according to such procedures as the Board of Governors shall determine to be appropriate.

Confidentiality.

The Executive Director, and any person with whom he or she confers concerning the complaint, shall regard the complaint as confidential until the Board of Governors has considered the matter alleged therein. Thereafter, the Board of Governors shall determine all matters relating to the release of information concerning the complaint.