

## **DA Germany Chapter Election Rules**

Approved: December 25, 2020

The Democrats Abroad Germany Executive Committee (DA Germany ExCom) has developed and adopted the following rules, which shall apply to all DA Germany chapter elections.

### **1) Elected Positions**

- a) The elections of chapter chairs, and of any other elected chapter board members, must be held in accordance with these rules and the DA Germany bylaws.
- b) It is strongly encouraged that chapters elect a chapter board, as well. These positions may include a chapter vice chair, for which gender balance rules shall apply, and other positions as deemed necessary for the running of the chapter.
- c) Elections for board positions shall be held at the same meeting as the election of chapter chair. Upon recommendation by the chapter chair, elected board members (i.e. not appointed positions) may be removed from office by a majority vote of the DA Germany ExCom.
- d) Chapters may opt to elect only a chapter chair, in which case the chapter chair shall have sole authority to create any chapter positions deemed appropriate. The chapter chair may appoint members to fill these positions and shall notify the DA Germany ExCom of such appointments. The chapter chair shall also inform the DA Germany ExCom of any changes to such appointed positions during his/her/their term.

### **2) Term of Office**

- a) A chapter chair's term of office, and that of any other elected chapter board member, shall begin at the time of the election and shall end upon the election of his/her/their successor, or upon removal or resignation of such chapter board member, in accordance with procedures set forth in the DA Germany bylaws.
- b) Subject to Section 2.c., no person may serve three full terms consecutively. Any term of office of more than fifteen (15) months shall be considered a full term.
- c) In the event that a chapter cannot elect a qualified replacement for a chapter chair who has served two consecutive full terms, a third term may be authorized by a two-thirds (2/3) vote of the DA Germany ExCom. The same shall apply to any other elected chapter board member who has served two terms.
- d) Should a position on the chapter board be advertised but not filled during the chapter elections, the chapter chair can appoint a person to that position at a later date in accordance with Section 1.d.

### **3) Election Date, Time, and Location**

- a) Elections for chapter chair shall be held during the first calendar quarter of each odd numbered year, but in no case later than seven (7) days prior to the DA Germany Annual General Meeting for that year.
- b) If an election is held on a weekday, the election process shall not begin before 19:30 or later than 21:00 Central European Time (7:30pm/9:00pm) that day. If an election is held on a Saturday or a Sunday, the election may not begin before 13:00 or later than 21:00 Central European Time (1:00pm/9:00pm).
- c) The location of the election shall be reasonably accessible to the members of the relevant chapter and should provide internet services for the purposes of including members unable to attend in person.
- d) Should the announced date, time, or location need to be changed, the event organizer must notify the DA Germany Chair and the Chapter Nominations and Elections Committee (CNEC) immediately. The CNEC is responsible for notifying the relevant chapter's membership of any changes concerning the date, time, or location.

### **4) Eligibility to Run for Chapter Chair or Chapter Board Positions**

To be eligible to run for the position of chapter chair or other chapter board positions, one must:

- a) reside in the relevant chapter (with boundaries determined by the official DA Germany membership database) on the day of the chapter election,
- b) have been a registered member of DA Germany for at least twenty-eight (28) days by the day of the chapter election, and
- c) have not been removed for cause from an elected position within DA Germany within twenty-four (24) months prior to the day of the chapter election.

### **5) Pre-Election Procedures**

- a) Chapter Nominations and Elections Committee (CNEC)
  - i) In order to facilitate the election of chapter chairs and chapter boards throughout Germany, the DA Germany Chair may appoint a five-member Chapter Nominations and Elections Committee (CNEC) which shall oversee and facilitate chapter elections. The CNEC shall be a diverse group of leaders and may include the DA Germany Chapter Development Coordinator, as well as the DA Germany Chair, the DA Germany Vice Chair or the DA Germany Secretary. The CNEC must be approved by a majority vote of the DA Germany ExCom no later than December 31.
  - ii) No member of the CNEC shall be a candidate in any chapter-level election.

- b) Announcement of Election and Election Process
  - i) The CNEC shall email the members of the relevant chapter of the election date and election process no earlier than sixty (60) and no later than twenty-eight (28) days before each chapter election (with boundaries determined by the official DA Germany membership database for such chapter as of the day of such notice).
  - ii) The CNEC shall also post the election announcement on the relevant chapter's official Democrats Abroad website within three (3) days of the announcement of election as set forth in Section 5.b.i.
  - iii) The announcement shall include the location, directions to the location, and the date and time of the election. If the event is held online, login information shall be provided in the announcement.
  - iv) The announcement shall also include information on the nomination process as set forth in Section 5.c.
  - v) The announcement shall also include a link to these rules.
  
- c) Nominations
  - i) Any member of the relevant chapter may be nominated or may self-nominate without a second for the position of chapter chair, or the relevant chapter board position, so long as the nomination or self-nomination is made no later than fourteen (14) days prior to the day of the election. Nominations made no later than fourteen (14) days prior to the date of the election shall be submitted to the CNEC.
  - ii) Nominations may also be made from the floor at the chapter election, if supported by a second member of the relevant chapter.
  - iii) A person nominated must accept the nomination to be an eligible candidate.
  - iv) Only persons nominated in accordance with the procedure set out above shall be eligible for election.
  - v) Eligible nominees may submit a candidate statement of no more than four hundred (400) words to the CNEC for distribution to chapter membership as set forth in Section 5.d.
  
- d) Announcement of Candidates and Distribution of Candidate Statements
  - i) The CNEC shall communicate nominations and self-nominations made at least fourteen (14) days prior to the day of the chapter election to the entire membership of the relevant chapter no later than ten (10) days prior to the chapter election in the same manner as the election announcement. The communication shall list the first and last name of each candidate, the position the candidate is seeking, the candidate statement, and his/her/their gender identity.
  - ii) The CNEC shall also post all candidates and candidate statements on the relevant chapter's official DA website within three (3) business days of the announcement of candidates as set forth in Section 5.d.i.
  - iii) Candidate statements submitted within fourteen (14) days prior to the day of the chapter election will not be considered or distributed through any official DA communication channel.

e) Campaigns

- i) Individual campaigns for the position of chapter chair or other offices are allowed and encouraged. Under no circumstance may the chapter membership be contacted using an official DA platform, including but not limited to the official DA membership database.
- ii) Candidates may not use information gleaned from the DA database or other DA lists in order to contact chapter voters from their private accounts.
- iii) Social media administrators shall not use their official DA accounts to advance any candidacies, including his/her/their own.
- iv) Personal information from the official DA membership database, including the names, email addresses, physical addresses, phone/fax/cell phone numbers, or other contact details of any chapter member, shall not be disclosed to any candidate or any supporter of a candidate and shall be subject to all the restrictions on the use of the membership database as have been established in the Democratic Party Committee Abroad Charter, the DA Germany bylaws, or by the DA Germany Excom.
- v) Candidates may distribute flyers or campaign literature at meetings of the relevant chapter without restriction so long as the conduct of the meeting itself is not interrupted or disturbed.

## 6) Election Day Procedures

a) Electors

- i) All members living in the relevant chapter are eligible electors (with boundaries determined by the official DA Germany membership database as of the day of the chapter election). Same-day registration with DA is possible.
- ii) A minimum of twelve (12) members present and voting shall be required to hold an election if there is more than one candidate for chapter chair. Before beginning the election, the CNEC or current chapter chair shall verify each elector's membership with DA.
- iii) If an election is held in the absence of the necessary quorum but otherwise in accordance with these rules, the chapter chair so elected may ask the DA Germany ExCom to certify the election results. As long as no member of the relevant chapter has challenged the election, the DA Germany ExCom by a two-thirds (2/3) majority vote may certify the results of such election, in which case the election shall be deemed valid as if it had been held in the presence of a quorum.
- iv) Only members present at the meeting may vote. No proxies or prior/later balloting shall be allowed.
- v) Members attending the meeting remotely (online) shall be deemed present. Electronic participation shall be allowed, using a method approved by the DA Germany ExCom.

b) Procedural Rules

- i) Elections shall be held in accordance with Robert's Rules of Order as well as the rules specified in this document. The rules specified in this document shall take precedence over Robert's Rules of Order in any and all cases of conflict.

- ii) All elections shall take place at the time, date and place specified in the election notice distributed as set forth in Section 5.b.
- iii) The current chapter chair shall ensure that adequate election materials are available, e.g. ballots, pens, displayable sheets for candidate names, etc.
- iv) If the current chapter chair is seeking reelection, the CNEC shall be responsible for conducting the election.
- v) The body conducting the election as determined in Section 6.b.iv. shall call for any nominations, including self-nominations, from the floor. However, as stated above in Section 5.c.ii., a second from among the relevant chapter members present and voting must be obtained prior to the name being added to the list of eligible candidates. Votes for write-in candidates shall be invalid and shall not be counted.
- vi) Prior to any vote being taken, each candidate shall be allowed to address the chapter for five (5) minutes on her/his/their candidacy. A candidate not present may be represented by another member of the relevant chapter, but that member must have been designated by the candidate, in writing/email or by telephone prior to the election meeting and the designation must be verifiable at the time of the meeting. No seconding speeches shall be allowed. The order of speeches shall be determined by lot.
- vii) The body conducting the election as determined in Section 6.b.iv. shall ensure that only eligible voters obtain ballots and shall be responsible for counting all ballots. Each candidate shall be allowed to name one witness (other than himself/herself/themselves) to the counting of ballots. No candidate or person representing a candidate shall be allowed to be a monitor.
- viii) Elections shall be conducted by written ballot with the names of all candidates who have been nominated prior to the meeting as well as a space for candidates nominated from the floor. Electors must print *and* sign their names on the ballot to allow for later verification. In the case of a digital ballot, a name typed electronically will be deemed a valid signature.
- ix) A majority vote (fifty percent (50%) plus one (1) of the members present and voting) shall be required for election. If, after counting all ballots, no majority exists, the person with the lowest number of votes shall be disqualified and a new election shall be conducted. This process shall continue until a candidate receives a majority of the ballots cast.
- x) If there is only one candidate for chapter chair, or other chapter board positions, at the time of the vote, a voice vote may be conducted, and no physical ballots will be necessary.
- xi) In the case of a tie, the election shall be repeated in accordance with Section 6.b.ix. until one candidate obtains a majority of votes.
- xii) Once a candidate has received a majority of the votes cast, the winner shall be announced to election meeting attendees by the body conducting the election as determined in Section 6.b.iv.
  - (1) The CNEC shall email the election results to all chapter members within three (3) days of the election.
  - (2) The CNEC shall post the election results on the official DA chapter website within three (3) days of the election.
- xiii) The results shall be certified by the body conducting the election as determined in Section 6.b.iv. and communicated to the DA Germany Chair, or in the absence

of the Chair, the DA Germany Vice Chair, within twenty-four (24) hours of the election's conclusion.

- xiv) Upon the announcement of the election winner, the current chapter chair shall turn over conduct of the meeting to the new chapter chair.
- xv) For all contested elections, all ballots shall be retained by the body conducting the election as determined in Section 6.b.iv. for at least ninety (90) days and made available in case of a challenge to the election.

## **7) Challenge to Election Results**

- a) Any challenge to the announced election results must be made by two (2) members present and voting and the reasons for the challenge must be communicated to the DA Germany Chair or DA Germany Vice Chair within seventy-two (72) hours after the election.
- b) The DA Germany Chair and/or DA Germany Vice Chair shall investigate the challenge and report to the DA Germany ExCom within seven (7) days of the challenge being raised.
- c) The DA Germany ExCom shall consider the report of the DA Germany Chair and/or DA Germany Vice Chair, as the case may be, and, by majority vote without the current chapter chair of the affected chapter voting, shall determine whether the result shall stand, or someone other than the announced winner shall be declared the winner, or a new election shall be held.
  - i) If a new election is mandated, the CNEC shall announce and conduct it as set forth in Section 5.b. and Section 6.b.
- d) The determination of the DA Germany ExCom on any challenge shall be final.
- e) The DA Germany ExCom by a two-thirds (2/3) vote may annul any election where, in its judgment, improper electoral activity has occurred. This shall include, but not be limited to, the infiltration of a chapter by an outside group that the DA Germany ExCom, in its judgment, believes does not support the Democratic National Committee (DNC) as per the bylaws and charter of the Democratic Party.

## **8) DA Germany Bylaws**

In the event of any conflict between these rules and the DA Germany bylaws, the DA Germany bylaws shall prevail. Any capitalized terms used but not defined in these rules shall have the meanings assigned to them in the DA Germany bylaws.

December 16, 2006

Amended: November 19, 2018

Amended: December 25, 2020