

## 2020 MAPE DELEGATE ASSEMBLY RESOLUTION

### Aligning the Election Rules with Governing Documents or Policies Dispute Procedure.

Whereas elections can create division among members, and elections protests that are not handled with care can create lasting damage to MAPE.

All members deserve due process.

Order is necessary for MAPE to be a well functioning organization.

The Bylaws are the most appropriate place to outline a process for resolving complaints. Members are most likely to consult the Bylaws for guidance pertaining to filing or responding to complaints.

A single process for imposing penalties on a member promotes consistency and fairness.

Unlike other types of complaints, any election violation impacts all members equally, not just the whistleblower who brought the protest to the Election's Committee.

As the steward of the Elections Rules, the Elections Committee should serve as subject-matter experts regarding any protests.

Involving the a hearing body in Election Rules violations will create oversight of the Elections Committee and ensure a thorough investigation has been conducted prior to imposing any penalties, while also freeing the Elections Committee from the responsibility of imposing penalties.

This resolution is affected by the final language of the resolution titled Establishing a Procedure for Resolving Governing Document and Policy Disputes and should be considered after that resolution.

*Therefore be it resolved*, that the Elections Rules be amended, as shown below, to align the Elections Rules with the Governing Documents or Policies Dispute Procedure.

Passed by	Date
Tabatha Ries-Miller	6/27/20
Kay Pedretti	6/27/20

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(Underscoring denotes wording inserted (inserted wording), and strike-through denotes wording deleted (~~deleted wording~~).

What is being amended?	Resulting Language
<p style="text-align: center;"><b>Article X</b> <b>Violations, Protests, and Appeals</b></p> <p>1. <b>Submitting Protests.</b> Protests concerning campaign support, campaign conduct, or election conduct may be submitted only by members who are eligible to vote in the race being protested. Protests must be in writing, indicate the nature of the violation, and provide supporting information. Protests shall be submitted to the Elections Committee no later than five days after announcement of the results.</p> <p>2. <b>Hearing of Violations and Protests.</b> Any alleged violation of MAPE Election Rules or other action which may compromise the integrity and validity of an election shall be investigated by the Elections Committee. <del>The committee shall conduct investigations it considers appropriate. The committee shall allow affected parties a reasonable opportunity to be heard. <u>The findings of the Committee shall be provided, in writing, to all affected parties.</u> Protests found to be unsubstantiated by the Committee may be appealed to the Board of Directors. <del>The Elections Committee's findings may be appealed to the Board of Directors.</del></del></p> <p>3. <b>Filing a Judicial Complaint.</b> <u>Following the investigation, the Election Committee shall, by majority vote, determine whether the alleged violation was substantiated. Upon determination an alleged violation was substantiated, the Elections Committee shall file a complaint pursuant to the Judicial Procedure, Article XVIII of the Bylaws. The Elections Committee shall be the complainant of all Elections Rules violations.</u></p>	<p style="text-align: center;"><b>Article X</b> <b>Violations, Protests, and Appeals</b></p> <p>1. <b>Submitting Protests.</b> Protests concerning campaign support, campaign conduct, or election conduct may be submitted only by members who are eligible to vote in the race being protested. Protests must be in writing, indicate the nature of the violation, and provide supporting information. Protests shall be submitted to the Elections Committee no later than five days after announcement of the results.</p> <p>2. <b>Hearing of Violations and Protests.</b> Any alleged violation of MAPE Election Rules or other action which may compromise the integrity and validity of an election shall be investigated by the Elections Committee. The committee shall allow affected parties a reasonable opportunity to be heard. The findings of the Committee shall be provided, in writing, to all affected parties. Protests found to be unsubstantiated by the Committee may be appealed to the Board of Directors.</p> <p>3. <b>Filing a Judicial Complaint.</b> Following the investigation, the Election Committee shall, by majority vote, determine whether the alleged violation was substantiated. Upon determination an alleged violation was substantiated, the Elections Committee shall file a Judicial Complaint pursuant to the Judicial Procedure, Article XVIII of the Bylaws. The Elections Committee shall be the complainant of all Elections Rules violations.</p>

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