



## VIII-C. Officers and Governors Election Procedures

These procedures have been adopted to ensure a fair and impartial process for the electing Officers and Governors of the College of American Pathologists. They conform to the Bylaws of the CAP.

As used in these procedures, “potential candidates” are defined as Fellows who have officially notified the Chief Executive Officer’s office of their intention to run for office. “Candidates” are individuals who have qualified to be placed on the ballot, i.e., who have been nominated by the Nominating Committee or by petition of at least 100 Fellows.

### **SUPERVISION OF ELECTION PROCESS**

The conduct of all aspects of the nomination and election process of the CAP shall be the responsibility of the Nominating Committee, the Election Oversight Committee, and the staff designated by the CEO, as follows.

#### **Nominating Committee**

The composition of the Nominating Committee is defined in the Bylaws, appointment being made by the President with concurrence of the Board of Governors. The committee shall be appointed at the annual organizational meeting of the Board of Governors, to select candidates for Governor and Officer vacancies. The committee shall meet in sufficient time to allow the slate of candidates for office to be communicated by the President to the general membership at least one hundred and twenty (120) days prior to the Stated Annual Meeting of the CAP. Candidates may be selected from those who have declared their candidacy, or the committee may select other eligible candidates as it determines necessary to ensure proper representation of the membership.

The Nominating Committee shall:

1. Develop criteria, which will be revealed to all candidates and potential candidates, on which to base its selection of a slate.
2. Interview all qualified candidates and potential candidates (including incumbents), the travel expense being paid by the CAP.
3. Review with candidates and potential candidates any issues of concern that the Nominating Committee might have, e.g., conflicts of interest.
4. Select one candidate for each open Officer/Governor position.
  - a. Nominating Committee slate vote will not be anonymous.
  - b. All qualified and potential candidates must receive at least 5 of 7 votes to receive the nomination.
  - c. If consensus cannot be reached, Nominating Committee will reconvene within 2 weeks (virtually) to reinterview candidates.
  - d. If a second interview is required to reach consensus, one hour will be allocated for officers and 45 minutes will be allocated for governors.
  - e. The Board of Governors will not be informed of split decisions.
5. The election ballot will not contain percentage of vote received in Nominating Committee.
6. Report its slate of candidates to the President and copy the Chief Executive Officer.
7. Through the Nominating Committee chair, notify all candidates and potential candidates of the committee’s decision.



8. Keep the deliberations of the Nominating Committee strictly confidential.
9. Refrain from circulating petitions or participating in the campaign of any candidate or potential candidate.
10. Refrain from issuing any communication to the membership (or segment thereof) regarding a current election, except the formal report of the Nominating Committee which is addressed to the President for communication to the membership.

### **Election Oversight Committee**

An Election Oversight Committee of three (3) members shall be appointed by the President with concurrence of the Board of Governors at the annual organizational meeting of the Board. Members of the Election Oversight Committee must be a past officer or past governor.

The Election Oversight Committee shall:

1. Investigate any complaint/appeal from a candidate, potential candidate, or member with a concern regarding a perceived irregularity in the election process.
  - a. Election Oversight Committee will send reports of verified candidate infractions to the Board of Governors and, if deliberations are not yet concluded, the Nominating Committee. The Board will determine if infractions are shared with the membership.
2. Review all materials required to administer the election prior to publication to the membership.
3. Provide general oversight of the election process.
4. Recommend changes in election procedures to the Board of Governors as needed.
5. Refrain from circulating petitions or participating in the campaign of any candidate or potential candidate.

The chair of the Election Oversight Committee shall notify candidates and members of the committee of election results prior to the Stated Annual Meeting.

### **Duties of Staff**

Staff, as designated by the Chief Executive Officer, shall be responsible for receipt and verification of petitions, preparation of election materials, coordinating the elections, and support of the above-named committees.

### **House of Delegates Steering Committee**

At its spring meeting each year, the House of Delegates may host a Candidate Forum for candidates and potential candidates. The House of Delegates Steering Committee shall determine the format of this forum and shall be responsible for ensuring that candidates and potential candidates are managed in a fair and equitable manner, including:

- provide adequate notice to candidates and potential candidates of the Candidate Forum and any housing and registration requirements in advance of the meeting
- conduct the Candidate Forum in a manner that ensures equal and fair participation for all candidates and potential candidates
- ensure all candidates and potential candidates are reimbursed equally for their participation in the Candidate Forum and any other required activities



- refrain from circulating petitions or participating in the campaign of any candidate or potential candidate for the Board of Governors or Officer position.

### **NOTIFICATION TO MEMBERSHIP OF VACANCIES AND ELECTION PROCEDURES**

In the January issue of *CAP Today*, the composition of the Nominating Committee and the Election Oversight Committee shall be published. Vacancies which will occur for Officers and Governors shall also be listed, along with the names of incumbents eligible for reelection. The article shall also convey when the Nominating Committee is expected to meet, the deadline for the filing of nominating petitions, and information about obtaining petition forms from the headquarters office.

### **CAMPAIGNING INFORMATION FOR CANDIDATES**

Official campaigning for potential candidates in the next election cycle may not begin until after the previous year's election results have been announced. Potential candidates may only campaign for open positions in the next election cycle. The election cycle begins immediately upon official announcement of the previous year's election.

Fellows may be nominated for Governor or Officer of the CAP by submission of petitions signed by at least 100 Fellows who are eligible to vote as specified in the Constitution. Petitions are available either digitally or in paper form and can be provided by request to Chief Executive Officer's designee. Petitions shall indicate the name of the potential candidate, the office being sought, and the election year. Signers shall affix their signature and print their name as well as their city and state of residence. Petitions shall be submitted to the Chief Executive Officer's designee at the CAP headquarters no later than 90 days before the stated annual meeting.

Staff shall verify the validity of 100 signatures of petitions for each candidate but will not verify beyond that number. Candidates will be informed by staff when 100 valid signatures are on file. Staff may provide one copy of a candidate's signed petitions upon receipt of a written request by that candidate, after the deadline for submitting nominating petitions has passed.

All petitions received by the CAP will be available to the Nominating Committee during its deliberations for use as it deems fit. Petitions will be destroyed 30 days after the Stated Annual Meeting at which final election results are announced.

A one-time electronic communication to the membership will be sent by the CAP on behalf of the candidates. The communication would include a candidate message and link to the candidate's website, if submitted. The order of candidates in the communication will be randomized electronically.

If campaigning is carried out, candidates and their representatives are expected to use positive messaging and appropriate decorum.

During a campaign, candidates must adhere to the following rules:

- Campaign expenditures and activities be limited to reasonable levels necessary for adequate candidate exposure to members.
- Candidates may not give or accept in-kind donations.
- Campaign memorabilia (except business card distribution) and giveaways that include a candidate's name or likeness may not be distributed at any time during the election cycle.



- Any items of value including but not limited to campaign stickers, pens, pins, buttons, and similar campaign materials are disallowed. This would also include distribution of CAP copyrighted material (including CAP publications authored by the candidate) that the candidate purchased.
- Social media (including a personal website) are allowed.
- Campaign parties are not allowed.
- For group dinners (including group drinks) attended by announced candidates in a currently contested election, each participant pays their own share of the expenses, with the exception of reimbursable expenses as per CAP policy. Gatherings of four or fewer members are exempt from this rule.
- Candidate-produced campaign videos are permissible, but they cannot include the CAP logo. Incidental appearances of the logo in campaign videos are permissible, but campaign videos must include a disclaimer statement provided by Governance that the CAP does not endorse their candidacy.
- Candidates cannot use the logo on campaign materials. Incidental appearances of the logo in photographs are permissible, but all campaign materials must include a disclaimer statement provided by Governance that the CAP does not endorse their candidacy.
- Photographs including members and non-members may only be used in election materials with their explicit consent to the candidate prior to publishing and Governance will not receive or maintain any photograph releases.
  - Consent would not be required for group photographs containing six or more people.
  - This rule applies to social media pages and personal websites.
  - Staff may be included in a group photograph of (fifteen) 15 people or more so long as the group is not primarily composed of staff.
- These campaign rules cover the election cycle, as described above and apply to all candidates, independent of the date on which each person announces their candidacy.
- Use of the image of a cover of a CAP publication in campaign materials is permissible so long as the candidate includes the disclaimer statement provided by Governance.
- Candidates are encouraged not to circulate petitions while CAP meetings are in session.

During campaigning, CAP staff may utilize candidates or potential candidates to present CAP webinars, lead seminars, or appear in marketing materials if they are subject matter experts. However, candidates will not serve as the President's (reimbursed) representative at state pathology meetings, hospital rounds, or other such audiences of CAP members except where candidates are best suited to the task as a result of expertise or proximity.

(See also PREPARATION AND FORMAT OF ELECTION MATERIALS)

Candidates or potential candidates with any inquiries regarding their candidacy are to direct their requests to Governance Services only and not involve other CAP staff. Candidate and potential candidate requests for information to develop or support a campaign platform will be honored so long as the information is readily available and not proprietary in nature. Any request that will require research or other significant resource allocation (time or money) will be forwarded to the Chief Executive Officer who will, in consultation with the Election Oversight Committee or the CAP President when needed, make the final determination. When information is supplied to a candidate or potential candidate under these guidelines, all other candidates or potential candidates will be notified of the request and offered the same information.



## PROCESS FOR REPORTING INFRACTIONS

Reporting of election infraction can only come from verified members or staff.

If an infraction is reported to the Election Oversight Committee, they will review and take the following action if they deem the infraction is valid:

1. The EOC will determine the infraction's severity and visibility to the membership.
2. The EOC chair will reach out to a candidate regarding an infraction via both email and telephone.
3. The EOC will inform the candidate how long they have to rectify the infraction.
4. If not rectified in the allotted time, or the infraction is repeated, the EOC will report the infraction(s) to the officers of the CAP.
5. The Board of Governors reserves the right to share the infraction with the membership and the Nominating Committee if deliberations are not yet concluded.

## PREPARATION AND FORMAT OF ELECTION MATERIALS

CAP elections shall be administered by staff, using an outside firm. The Election Oversight Committee shall review all materials required to administer the election prior to final publication to the membership.

The order of candidates for each office as they appear on the ballot shall be randomly selected. This will be noted in the election materials.

All ballots will provide for write-in candidates.

The candidate information developed for the voters will include a headshot photograph and biographical data submitted by each candidate in conformance with formats and word limitations determined by the Election Oversight Committee. Staff will confirm information provided regarding service on CAP councils, committees, etc. The candidate information for voters will specify the source of nomination, i.e., Nominating Committee and/or petition. The source of nomination will also appear on the ballot.

Additionally, candidate information will include replies by the candidate to the following questions:

1. Why do you want to be an Officer/Governor of the CAP?
2. What major issues do you see facing the CAP during the next three years?
3. If you are elected, what do you hope to accomplish?

Candidates are responsible for keeping answers within the word limitations set by the Election Oversight Committee.

Election materials will be published to the membership no later than sixty (60) days prior to the session of the Stated Annual Meeting at which election results are to be announced. Materials may be published no earlier than one week prior to this deadline. Candidates will be informed of the dates of this "mailing window."



The CAP also will establish an Election Page on its website, where the report of the Nominating Committee will be posted along with the names of other candidates on the ballot by means of petition. Candidates will be offered the opportunity to have the CAP publish on this website their photo, curriculum vitae, and/or campaign platform on this website, subject to length of text and other criteria established by the Election Oversight Committee.

This website will be available to all CAP members following the report of the Nominating Committee but prior to the publication of the ballot.

### **BALLOTING PROCEDURES**

Voting instructions will be sent to all Fellows and Life Fellows of record 60-67 days prior to the first session of the Stated Annual Meeting. Individuals who become Fellows after that initial distribution will not be included in that year's voting process.

The voting process will have provisions to ensure the integrity of the election, i.e., that those casting votes are eligible voters, vote only once, and are assured their votes are kept secret and secure. Completed ballots will be returned by the voter directly to the contracted outside firm. If a member votes more than once, the first ballot received by the firm will be counted.

Bullet ballots are valid but are not encouraged. Ballots that deviate from voting instructions will be invalid. An exception will be made for mail-in ballots received at the headquarters office when ballot confidentiality can be maintained, and the election firm can identify and verify the eligibility of the voter.

### **CONDUCT OF THE VOTE**

A candidate must receive a majority of the vote to avoid a runoff election. Greater than 50% of the vote constitutes a majority. In the event that more than four candidates for governor receive greater than 50% of the vote, the top four candidates will win the open positions.

For write-in votes:

- Write-in votes require first and last name and should be spelled correctly as stated in the membership list.
- Instructions on filling out a write-in vote should be included in the ballot text.
- Write-in votes should be unambiguous to be considered valid.
- In a scenario where write-in votes may prevent any candidate from receiving a majority, the Election Oversight Committee will review and authenticate write-in ballots before initiating a runoff vote.

### **REPORTING OF RESULTS**

1. The chair of the Election Oversight Committee will receive vote totals and votes cast for each candidate after the election.



2. The Election Oversight Committee Chair will give vote results (including number of votes and percentage of votes per candidate) to each candidate for the position they ran for upon request. This request would go directly from the candidate to the Election Oversight Committee Chair, as opposed to Governance.
3. Vote tallies or percentages of the election will not be made public, and candidates will be instructed to keep their vote tallies and percentages confidential.
4. Results of the election will be posted on the CAP web site immediately after all reasonable attempt has been made to notify the candidates of the results, and then reported at the Stated Annual Meeting of the CAP.
5. Ballots will be retained by the election firm for 30 days after the Annual Meeting, and then destroyed unless instructed otherwise by the Chief Executive Officer's designee in case of a challenge.

**APPEALS**

Any candidate questioning the outcome of an election or desiring a recount or other consideration shall notify the chair of the Election Oversight Committee by registered letter or email. The candidate shall provide details of any perceived irregularity. Notice shall be postmarked (or time stamped, in the case of email) within seven (7) days of the candidate's notification of election results by the chair of said committee. The chair shall immediately notify the President of the alleged irregularity or request for recount. The committee shall investigate the circumstances at issue and make recommendations to the President for resolution. Any action recommended must be approved by the Executive Committee or the Board of Governors.

**RETENTION OF MATERIALS**

A copy of the election material distributed to the electorate, as well as the report on balloting results, will be retained in the official archives of the CAP. Names of those elected will be recorded in the minutes of the business meeting of the CAP. Thirty days after the announcement of election results at the Stated Annual Meeting, all petitions and ballots will be destroyed unless an election result is challenged, in which case all materials will be retained until the dispute has been resolved.

Document ID: Officers and Governors Election Procedures Document type: Governance Policy Responsible: Governance Services Approve: Board of Governors Consult: None Inform: CAP Policy Manual	Adopted November 2020 Revised August 2024
--	--